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### DEPARTMENT OF PLANNING AND LAND USE

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April 27, 2012

Update No. 88  
4-12

TO: Persons Holding Copies of the San Diego County Zoning Ordinance

FROM: Department of Planning and Land Use

RE: AMENDMENT PAGES FOR THE COUNTY ZONING ORDINANCE

Attached are pages containing changes to the San Diego County Zoning Ordinance amended by adoption of Ordinance No. 10204 (N.S.), effective 04-27-12. This Ordinance makes additions and amendments to definitions; amendments to animal regulations, special area regulations, temporary use regulations and procedures; and other minor modifications and clarifications to various sections. These amendment pages are known as POD 11-004, adopted by the Board of Supervisors on March 28, 2012.

Please substitute these pages in your copy of the Zoning Ordinance by removing the obsolete pages and adding the new pages as follows:

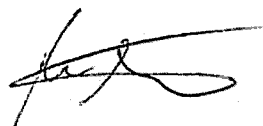
REMOVE	ADD	SECTION CHANGES/DESCRIPTION
Table of Contents (2 pages)	Table of Contents (2 pages)	TOC amended
Def. A - Def. B (3 pages)	Def. A - Def. B (3 pages)	Definition of "Accessory Use" amended Definition of "Agricultural Tourism" added Pagination changes
Def. C - Def. F (4 pages)	Def. C - Def. F (4 pages)	Definition of "Community Garden" added Definition of "Construction and/or Use of the Property In Reliance on a Permit" added Definitions of "Flood, 10-Year" and "Flood, 100-Year" amended Pagination changes
Def. G - Def. G (1 page)	Def. G - Def. G (1 page)	Definition of "Groundwater Extraction Operation" amended
Def. L - Def. L (1 (1 page)	Def. L - Def. L (1 page)	Definition of "Living Area" amended

<b>REMOVE</b>	<b>ADD</b>	<b>SECTION CHANGES/DESCRIPTION</b>
Def. M - Def. M (1 page)	Def. M - Def. M (1 page)	Definition of "Minor Deviation" added
Def. P - Def. P (2 pages)	Def. P - Def. P (2 pages)	Definition of "Plot Plan" added Pagination changes
Def. S - Def. Z (5 pages)	Def. S - Def. Z (5 pages)	Definition of "Site Plan Permit" amended Definition of "Street, Centerline of" amended Definition of "U-Pick or Pick-Your-Own Operations" added Reference to "Use of the Property In Reliance on a Permit" added Pagination changes
1350 (1 page)	1350 (1 page)	Major Impact Services and Utilities amended
1425 - 1425 (1 page)	1425 - 1425 (1 page)	Animal Sales and Services: Kennels amended Animal Sales and Services: Veterinary (Large Animals) amended Animal Sales and Services: Veterinary (Small Animals) amended
1490 - 1490 (1 page)	1490 - 1490 (1 page)	Gasoline Sales amended
2990 (6 pages)	2990 (6 pages)	Use Matrix: (page 1- page 6) S-87 Zone removed
3100 - 3114 (3 pages)	3100 - 3114 (3 pages)	Animal Schedule and Notes amended Animal Enclosure Table Notes amended Kennels amended
4505 (1 page)	4505 (1 page)	Floor Area Ratio Designator Notation amended
4615 - 4630 (2 pages)	4615 - 4630 (2 pages)	Additional Story Permitted amended Height of Fences amended
5205 (1 page)	5205 (1 page)	Scenic Area Regulations- Site Plan Required amended
5214 - 5256 (2 pages)	5214 -5257 (2 pages)	Site Plan Permit Exemption (formerly Site Plan Waiver) - title of section amended, section amended Airport Land Use Compatibility Plan Area Regulations, Title and Purpose amended Airport Overflight Notification Requirements added
5304 - 5307 (4 pages)	5304 - 5307 (4 pages)	Content of a Site Plan amended Use Regulations and Development Standards: b. Floodway amended c. Floodplain Fringe amended Pagination changes

<b>REMOVE</b>	<b>ADD</b>	<b>SECTION CHANGES/DESCRIPTION</b>
5710 (1 page)	5710 (1 page)	Site Plan Permit Exemption- Historic/ Archaeological Landmarks and Districts (formerly Site Plan Waiver) - title of section amended, section amended
5757 - 5799 (3 pages)	5757 - 5799 (3 pages)	Site Plan Permit Exemption - Community Design Review (formerly Site Plan Waiver) - title of section amended, section amended Community Design Review Areas amended
5905 (1 page)	5905 (1 page)	Design Review Area Regulations, Site Plan Permit Required - title of section amended, section amended
6106 - 6118 (5 pages)	6106 - 6118 (5 pages)	Temporary Uses Regulations Circus, Carnival or Other Outdoor Entertainment Event amended Civic, Fraternal or Religious Assembly amended Uses in New Subdivisions amended Use of a Trailer Coach amended
6123 - 6124 (2 pages)	6123 - 6124 (2 pages)	Meteorological Testing Facility amended Temporary Outdoor Sales amended
6152 - 6158.a (12 pages)	6152 - 6158.a (12 pages)	Accessory Uses Encompassed by Principle Use a. Attached Private Garages and Carports amended g. Detached Private Garages and Carports amended h. Barns and Agricultural Storage Buildings amended q. Roadside Sales of Agricultural Products amended u. Farm Employee Housing amended x. Second Dwelling Units amended y. Family Day Care Home For Children, Large amended z. Wind Turbine Systems, Small amended bb. Host Home amended kk. Agricultural Tourism added Civic, Commercial, Industrial, or Extractive Use Types a. Outdoor Café Seating and Sidewalk Cafés amended
6158 (1 page)	6158 (1 page)	Ordinance notation added
6207 - 6207 (2 pages)	6207 - 6207 (2 pages)	Special Purpose Off-Premise Signs amended
6261 (1page)	6261 (1page)	On-Premise Signs Regulated amended
6268 (2 pages)	6268 (2 pages)	Other Sign Types amended

<b>REMOVE</b>	<b>ADD</b>	<b>SECTION CHANGES/DESCRIPTION</b>
6324 (1page)	6324 (1page)	Lighting Permitted in Required Yards amended
6708 (2 pages)	6708 (2 pages)	Permitted Fences, Walls, Gates and Entry Structures amended
6799 (1page)	6799 (1page)	Parking of Commercial Vehicles in Residential, Agricultural and Certain Special Purpose Zones amended
6816 (2 pages)	6816 (2 pages)	Enclosure Matrix: S87 Zone removed
6904 (1page)	6904 (1page)	Explosive Storage amended
6910 - 6912 (2 pages)	6910 - 6912 (3 pages)	Wholesale Limited, Boutique and Small Wineries c. Small Winery amended Emergency Shelters amended Community Gardens added Pagination changes
6985 (1page)	6985 (1page)	Wireless Telecommunication Facilities: c. General Regulations amended
7060 (1page)	7060 (1page)	Administrative Permit Procedure, Decision and Notice amended
7156 (1page)	7156 (1page)	Site Plan Review Procedure, Site Plan Permit Exemption (formerly Site Plan Waiver) - title of section amended, section amended
7168 (1page)	7168 (1page)	Site Plan Review Procedure, Expiration and Extension amended
7600 (1page)	7600 (1page)	Supplementary Administrative Procedures, Title and Purpose amended
7609 (2 pages)	7609 (2 pages)	Supplementary Administrative Procedures, Minor Deviation from Plan amended
7703 (2 pages)	7703 (2 pages)	Enforcement Procedures, Violations and Penalties amended
8203 (2 pages)	8203 (2 pages)	Fallbrook V2 Zone, Permitted Uses Subject to Limitations amended
8303 (2 pages)	8303 (2 pages)	Fallbrook V3 Zone, Permitted Uses Subject to Limitations amended

Upon insertion of these pages, we suggest you fill in the space provided for Update No. 88 inside the front cover of your Zoning Ordinance. This will serve as a record that your copy has been updated. If you have any questions regarding this update, please contact Heather Lingelser at (858) 495-5802.



DEVON MUTO, Chief  
Advance Planning Division  
Department of Planning and Land Use



## TABLE OF CONTENTS

### PART ONE: BASIC PROVISIONS

1000	General Provisions
1100	Definitions
1200	Use Classifications
1200	General Classification Rules
1250	Residential Use Types
1300	Civic Use Types
1400	Commercial Use Types
1600	Industrial Use Types
1700	Agricultural Use Types
1800	Extractive Use Types

### PART TWO: USE REGULATIONS

2000	General Provisions
2100	Residential Use Regulations
2100	RS Single Family Residential Use Regulations
	RD Duplex/Two Family Residential Use Regulations
	RM Multi Family Residential Use Regulations
	RV Variable Family Residential Use Regulations
2140	RU Urban Residential Use Regulations
2160	RMH Mobilehome Residential Use Regulations
2180	RR Rural Residential Use Regulations
2220	RRO Recreation Oriented Residential Use Regulations
2260	RC Residential/Commercial Use Regulations
2300	Commercial Use Regulations
2300	C30 Office Professional Use Regulations
2310	C31 Residential-Office Professional Use Regulations
2320	C32 Convenience Commercial Use Regulations
2340	C34 General Commercial/Residential Use Regulations
2350	C35 General Commercial/Limited Residential Use Regulations
2360	C36 General Commercial Use Regulations
2370	C37 Heavy Commercial Use Regulations
2380	C38 Service Commercial Use Regulations
2400	C40 Rural Commercial Use Regulations
2420	C42 Visitor Serving Commercial Use Regulations
2440	C44 Freeway Commercial Use Regulations
2460	C46 Medical Center Use Regulations
2500	Manufacturing and Industrial Use Regulations
2500	M50 Basic Industrial Use Regulations
2520	M52 Limited Impact Industrial Use Regulations
2540	M54 General Impact Industrial Use Regulations
2560	M56 Mixed Industrial Use Regulations
2580	M58 High Impact Industrial Use Regulations
2700	Agricultural Use Regulations
2700	A70 Limited Agricultural Use Regulations
2720	A72 General Agricultural Use Regulations

## TABLE OF CONTENTS

2800	Special Purpose Regulations
2800	S80 Open Space Use Regulations
2810	S81 Ecological Resource Area Regulations
2820	S82 Extractive Use Regulations
2860	S86 Parking Use Regulations
2880	S88 Specific Planning Area Use Regulations
2900	S90 Holding Area Use Regulations
2920	S92 General Rural Use Regulations
2940	S94 Transportation & Utility Corridor Use Regulations
2950	SWF Solid Waste Facility
2980	Supplemental Limitations on Uses
2990	Use Matrix & Enclosure Matrix

### PART THREE: ANIMAL REGULATIONS

3000	General Provisions
3100	Animal Schedule

### PART FOUR: DEVELOPMENT REGULATIONS

4000	General Provisions
4100	Density Regulations
4200	Lot Area Regulations
4300	Building Type Regulations
4400	Maximum Floor Area Regulations
4500	Floor-Area Ratio Regulations
4600	Height Regulations
4700	Coverage Regulations
4800	Setback Regulations
4900	Usable Open Space Regulations

### PART FIVE: SPECIAL AREA REGULATIONS

5000	General Provisions
5100	Agricultural Preserve Area Regulations
5200	Scenic Area Regulations
5250	Airport Land Use Compatibility Plan Area Regulations
5300	Sensitive Resource Area Regulations
5400	Fault Displacement Area Regulations
5450	Flood Channel Area Regulations
5500	Flood Plain Area Regulations
5700	Historic/Archaeological Landmark & District Area Regulations
5750	Community Design Review Area Regulations
5800	Planned Development Area Regulations
5850	Vernal Pool Area Regulations
5900	Design Review Area Regulations

## TABLE OF CONTENTS

5950	Coastal Resource Protection Regulations
5960	Unsewered Area Regulations

### PART SIX: GENERAL REGULATIONS

6000	General Provisions
6100	Temporary Use Regulations
6150	Accessory Use Regulations
6200	Off-Premise Sign Regulations
6250	On-Premise Sign Regulations
6300	Performance Standards
6350	Density Bonus Program
6400	Resort Services Regulations
6450	Recreational Vehicle Park Regulations
6500	Mobilehome (Manufactured Home) Regulations
6550	Extractive Use Regulations
6600	Planned Development Standards
6700	Fencing & Screening Regulations
6750	Parking Regulations
6800	Enclosure Regulations
6850	Nonconformity Regulations
6900	Miscellaneous General Regulations
6900	Ambulance Service
6901	Cemeteries
6902	Animal Waste Processing
6903	Lot Line Locations
6904	Explosive Storage
6905	Fire Protection and Law Enforcement Services
6906	Requirements for Farm Labor Camps
6907	Crematoriums
6908	Columbaria
6909	Mini-Warehouses
6910	Wholesale Limited, Boutique and Small Wineries
6911	Emergency Shelters
6912	Community Gardens
6920	Cottage Industries
6930	Adult Entertainment Establishments
6935	Medical Marijuana Collective Facilities
6940	Trailer Coaches Outside Mobilehome Parks
6950	Wind Turbine System
6952	Solar Energy System
6960	Nudist Facilities
6970	Recycling Collection Facility
6976	Marijuana Dispensaries -Non-Medical (Not Authorized Under State Law)
6975	Recycling Processing Facility
6980	Wireless Facilities

## TABLE OF CONTENTS

### PART SEVEN: PROCEDURES

7000	General Provisions
7050	Administrative Permit Procedure
7100	Variance Procedure
7150	Site Plan Review Procedure
7200	Administrative Appeal Procedure
7350	Use Permit Procedure
7400	Density Bonus Permit Procedure
7500	Zoning Ordinance Amendment Procedure
7550	Historic/Archaeological Landmark & District Designation Procedure
7600	Supplementary Administrative Procedures
7700	Enforcement Procedure

### PART EIGHT: FALLBROOK VILLAGE REGULATIONS

8000	Fallbrook Village Regulations
8100	Village 1 Zone
8200	Village 2 Zone
8300	Village 3 Zone
8400	Village 4 Zone
8500	Village 5 Zone
8600	Use Matrix

(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

**Accessory Building:** A portion of a main building or a detached subordinate building located on the same lot as a main building which is devoted exclusively to an accessory use.

**Accessory Living Quarters:** Living quarters, which may include kitchen facilities, within an accessory building or within the primary dwelling for the sole use of persons employed on the premises and not rented or otherwise used as a separate dwelling. (Accessory Living Quarters provisions were repealed by Ord. No. 9982 (N.S.), adopted 4-22-09).

(Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)

(Amended by Ord. No. 9982 (N.S.) adopted 4-22-09)

**Accessory Use:** A use customarily incidental and accessory to the principal use of the land or lot, or to a building or other structure located on the same lot as the accessory use.

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

**Administrative Permit:** A permit which may be granted by the appropriate County officer or body to provide for the accommodation of land uses or structures with special site or design requirements, operational characteristics, or potential adverse effects on surroundings, which are not permitted by right, but which may be approved upon completion of a review process, the making of findings required by ordinance, and where necessary, the imposition of conditions of approval by the permit granting authority. Administrative permits are intended to be utilized in situations where the public welfare does not require a public hearing prior to granting approval for temporary uses or structures, uses and structures having only a minor potential adverse impact on surroundings, or for uses and structures where the public welfare necessitates an expeditious review procedure.

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)

**Adult Bookstore, Adult Novelty Store Adult Video Store:** A commercial establishment which has a significant or substantial portion of its stock-in-trade or derives a significant or substantial portion of its revenues or devotes a significant or substantial portion of its interior business or advertising, or maintains a substantial section of its sales or display space for the sale or rental, for any form of consideration, of any one or more of the following:

- a. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas";
- b. Instruments, devices or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of the user or others.

As used in this definition, the term "significant or substantial portion" means 25 percent or more.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

(Amended by Ord. No. 8015 (N.S.) adopted 12-4-91)

(Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)

(Amended by Ord. No. 9827 (N.S.) adopted 1-31-07)

Def. A

Adult Cabaret: A nightclub, bar, juice bar, theater, restaurant bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features: (a) persons who appear in a state of semi-nudity (nudity is prohibited per Chapter 18 of the Code of Regulatory Ordinances); or (b) films, motion pictures, videocassettes, slides, or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas".

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)  
(Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)

Adult Drive-In Theater: An open lot or part thereof, with appurtenant facilities, devoted primarily to the presentation of motion pictures, films, theatrical productions and other forms of visual productions, for any form of consideration, to persons in motor vehicles or on outdoor seats, and presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Adult Entertainment: Any activity which falls within the list of defined terms found at Section 6930 d.

(Added by Ord. No. 8015 (N.S.) adopted 12-4-91)

Adult Motel: A motel, hotel, or similar commercial establishment which: (a) offers public accommodations for any form of consideration and which regularly provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas" and which regularly advertise the availability of such material by means of a sign visible from the public right of way or by means of any off-premises advertising, including but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television, and (b) offers a sleeping room for rent for a period of less time than ten (10) hours.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)  
(Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)

Adult Motion Picture Theater: A commercial establishment where films, motion pictures, videocassettes, slides, or similar photographic reproductions which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas" are regularly shown for any form of consideration.

Specified Sexual Activities:

1. Sex acts including intercourse, oral copulation, masturbation, or sodomy; or
2. Excretory functions as part of or in connection with any of the activities set forth in 1.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)  
(Amended by Ord. No. 7469 (N.S.) adopted 6-12-02)

**Adult Model Studio:** Any establishment open to the public where, for any form of consideration or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons, other than the proprietor, paying such consideration or gratuity. The provision shall not apply to any school of art which is operated by an individual, firm, association, partnership, corporation or institution which meets the requirements established in the Education Code of the State of California for the issuance or conferring of, and is in fact authorized thereunder to issue and confer, a diploma.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Adult Arcade/Peep Show:** Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by their emphasis upon matter exhibiting or describing specified sexual activities or specified anatomical areas.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)  
(Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)

**Adult Motion Picture Theater:** An establishment, with a capacity of fifty (50) or more persons, where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material which is distinguished or characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas for observation by patrons.

**Adult Theater:** A theater, concert hall, auditorium or similar establishment, either indoor or outdoor in nature, which, for any form of consideration, regularly features live performances which are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas for observation by patrons.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Agricultural Employee:** (See Farm Employee)

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Agricultural Homestay:** A working farm or ranch on which bedrooms are made available for rent in a farm or ranch house occupied by the farmer or rancher or in a single cabin or other small detached structure measuring no more than 500 square feet and where lodging and overnight sleeping accommodations are provided for a stay of no more than 14 days, either with or without meals.

(Added by Ord. No. 9470 (N.S.) adopted 6-12-02)

**Agricultural Tourism (also Agri-tourism or Ag-tourism):** The act of visiting a commercial agricultural enterprise for the purpose of enjoyment, education or active involvement in the activities of the farm, ranch or agricultural operation.

(Added by Ord. No. 10204 (N.S.) adopted 3-28-12)

Def. A

**Agricultural Zone:** A zone including a use regulation set forth in Sections 2700 through 2799, inclusive.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Agriculture:** Shall mean the production of goods such as food, fibers or feed by the systematic growing and harvesting of plants, animals and other life forms. Typical forms of agriculture include cultivation of land and raising of livestock.

(Added by Ord. No. 10003 (N.S.) adopted 8-5-09)

**Aircraft:** Any contrivance, now known or hereafter invented, used or designed for navigation of or flight in the air. "Aircraft" does not include ultralight vehicle as defined by this ordinance.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)  
(Amended by Ord. No. 7197 (N.S.) adopted 9-10-86)

**Airport:** Any area of land, water or a structure which is used or intended for use for the landing and taking off of aircraft and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

(Added by Ord. 5508 (N.S.) adopted 5-16-79)

**Alley:** A public or private way permanently reserved as a secondary means of access to abutting property.

**Amendment:** Any change, modification, deletion, or addition to the wording, text or substance of the Zoning Ordinance, or any change, modification, deletion or addition to the application of the Zoning Ordinance to property within San Diego County, including any alteration in the boundaries of a zone, when adopted by ordinance passed by the Board of Supervisors in the manner prescribed by law.

**Anatomical Areas:** (See Specified Anatomical Areas)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Animal, Large:** Limited to bovine animals, sheep, goats, swine, ostriches, emus, llamas and alpacas.

(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

**Animal Regulations:** That element of a zone which indicates, by means of a letter designator, the regulations pertaining to the keeping of animals.

(Added by Ord. No. 8166 (N.S.) adopted 10-21-92)

**Animal, Small:** Poultry, rabbits, chinchillas, hamsters, and other small domesticated animals other than a large animal or specialty animal.

**Animal, Specialty:** Including, but not limited to, fish, furbearing animals, wild or undomesticated animals, amphibians, insects and birds, other than large or small animals.



**Animal Waste Processing:** The processing of animal waste and byproducts including but not limited to animal manure, animal bedding waste, a similar byproduct of an animal raising agricultural operation, for use as a commercial fertilizer or soil amendment and including composting operations.

**Apartment Hotel:** A building or portion thereof designed for or containing both individual guest rooms or suite of rooms and dwelling units.

**Approach-Departure Path:** The flight track of a helicopter as it approaches or departs from the helicopter facility's designated take-off and landing area.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

**Aquaculture:** A form of agriculture devoted to the controlled growing and harvesting of fish, shellfish, and plants in marine, brackish, and fresh water.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

**Attached:** (See Building Type; Nonresidential)

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Attached, Three to Eight Dwelling Units:** (See Building Type, Residential)

**Attic Story:** Any story situated wholly or partly in the roof, so designated, arranged or built as to be used for business, storage, or habitation. An attic story shall be counted as a story.

**Automobile Wrecking:** The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of 5 or more motor vehicles which for a period exceeding 30 days have not been capable of operating under their own power, and from which parts have been or are to be removed for reuse or sale shall constitute prima facie evidence of an automobile wrecking yard.

## DEFINITIONS (B)

**Barn:** A building used for the shelter of livestock raised on the premises, the storage of agricultural products produced or consumed on the premises, or the storage and maintenance of farm equipment and agricultural supplies used for the agricultural operations on the premises.

**Base Units:** The number of dwelling units proposed for a housing development, exclusive of the density bonus units. The number of base units cannot exceed the maximum allowable residential density.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

**Basement:** Any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story as defined herein.

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)

Def. B

**Bed and Breakfast Home:** A single-family dwelling in which more than two bedrooms are made available for rent on a less than weekly basis to provide lodging, including overnight sleeping accommodations and breakfast.

(Added by Ord. No. 7160 (N.S.) adopted 6-18-86)  
(Amended by Ord. No. 7363 (N.S.) adopted 8-19-87)  
(Amended by Ord. No. 7515 (N.S.) adopted 7-13-88)

**Bedroom:** Attached room which is intended, arranged, or designed to be occupied by one or more persons primarily for sleeping purposes and shall have an area of not less than 70 square feet or be less than 7 feet in any dimension with a closet opening on it or within it.

(Added by Ord. No. 6134 (N.S.) adopted 7-22-81)

**Bicycle Space:** An area that is permanently reserved and maintained for parking one bicycle either in an open rack or an enclosed structure or locker.

(Added by Ord. No. 5976 (N.S.) adopted 1-28-81)  
(Amended by Ord. No. 6940 (N.S.) adopted 4-10-85)

**Bird:** An avian species other than poultry.

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)  
(Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)

**Block:** All property fronting upon one side of a street between intersecting and intercepting streets, or between a street and a right-of-way, waterway, terminus of dead end street, or city boundary. An intercepting street shall determine only the boundary of the block on the side of the street which it intercepts.

**Bluff:** A scarp or steep face of rock, decomposed rock, sediment or soil resulting from erosion, faulting, folding, filling or excavation of the land mass. The bluff may be simple planar or curved surface or it may be steplike in section.

(Amended by Ord. No. 5329 (N.S.) adopted 12-13-78)

Closet: Small room or recess primarily designed to store wearing apparel.

(Added by Ord. No. 6134 (N.S.) adopted 7-22-81)

College: A college, junior college or university supported by public funds, or a private college, junior college or university which gives comparable general academic instruction and degrees.

Columbarium: A structure, room, or other space in a building or a sepulchral vault containing niches or recesses in the walls for the inurnment of cremated human remains.

(Added by Ord. No. 9151 (N.S.) adopted 5-10-00)

Commercial Agriculture: Shall mean a routine and ongoing enterprise associated with a farm, grove, dairy, or other agricultural business, and shall include:

1. The cultivation and tillage of soil; crop rotation; fallowing for agricultural purposes; the production, cultivation, growing, replanting and harvesting of any agricultural commodity including viticulture, vermiculture, apiculture, or horticulture;
2. The raising of livestock, bees, fur bearing animals, fish or poultry, and dairying for sale;
3. Any practices performed by a farmer on a farm as incident to or in conjunction with those farming or grove operations, including the preparation for market, delivery to storage or to market, or delivery to carriers for transportation to market; and
4. Ordinary pasture maintenance and renovation and dry land farming operations consistent with rangeland management and soil disturbance activities.

All such activities must be consistent with the economics of commercial agricultural operations and other similar agricultural activities. Commercial Agriculture does not include crops or agriculture for personal consumption.

(Added by Ord. No. 10003 (N.S.) adopted 8-5-09)

Commercial Vehicle: A vehicle primarily designed, maintained or used to transport, for compensation, one or more persons or property of any kind. A vehicle primarily designed to transport one or more persons or property for compensation, whether or not it is being used or has been used for that purpose, is a commercial vehicle. A commercial vehicle includes, but is not limited to, a truck, truck tractor, trailer, semi-trailer and bus.

(Added by Ord. No. 9935 (N.S.) adopted 4-23-08)

Commercial Zone: A zone including a use regulation set forth in Sections 2300 through 2499, inclusive.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

Common Area: That area which will be maintained by a homeowners association, County service area, or other form of cooperative organization. For purposes of these regulations, "common area" does not include open space which cannot legally be disturbed.

Def. C

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

Community Garden: An area of land used to grow and harvest food crops by individuals or collectively by members of a group, and may be arranged into multiple plots.

(Added by Ord. No. 10204 (N.S.) adopted 3-28-12)

Concrete Batch Plant: Mixing plants for Portland cement concrete, transit concrete mixing plants, sand, gravel and cement mixing plants and soil cement mixing plants.

Concurrent Use Permit: (See Use Permit, Concurrent)

Construction: The placement of construction materials in their permanent position fastened in a permanent manner.

Construction and/or Use of the Property In Reliance on a Permit: The establishment of a use or structure pursuant to an approved discretionary permit as used in Section 7000, et seq. A use or structure shall be considered established when any of the following apply:

- a. All required construction permits have been obtained, grading work and structural foundations are completed and substantial progress has been made on the above-grade construction without ceasing for a period greater than 12 months;
- b. Partially Completed Projects. When an approved multiple building project has been partially completed, its discretionary permit shall remain valid unless work ceases for a period greater than twelve months, and no schedule for phased construction was authorized by the discretionary permit;
- c. Significant investment has been made toward off-site improvements, infrastructure or on-site improvements in preparation for project construction;
- d. A certificate of occupancy has been issued and bonds guaranteeing site improvements have been released; or
- e. A use not requiring any building permits is operating in compliance with all conditions of approval.

(Added by Ord. No. 10204 (N.S.) adopted 3-28-12)

Convenience Zone: An area within a one-half mile radius of a supermarket. A "supermarket" for purposes of this ordinance is defined as a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000) or more, and which sells a line of dry grocery, canned goods, or non-food items and some perishable items.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

Corner Cut-Off Area: An area provided and maintained for adequate and safe visibility for vehicular and pedestrian traffic at intersections of streets, alleys, or private driveways.

County Affordable Senior Housing Program: The County's program to encourage the provision of senior rental housing that is affordable. See Section 6360 a.2.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

County Park: Any park, community center, museum, beach park, or recreation facility, owned by, leased by, or under the control of the County.

(Added by Ord. No. 6615 (N.S.) adopted 6-22-83)

Crawl Space: Any unfinished accessible space, located below the first floor of a structure, which has non-excavated, natural grade with no slab; normally enclosed by a foundation wall which is intended to provide sufficient access to otherwise concealed ductwork, piping or wiring. Any such area that is designated, arranged or built as to be used for business, storage, or habitation shall not be considered crawl space and shall be counted as storage area and/or habitable space and shall be designed to meet all requirements of storage areas or habitable space.

(Added by Ord. No. 10095 (N.S.) adopted 12-8-10)

#### DEFINITIONS (D)

Density: The number of dwelling units per acre.

Density Bonus: A density increase over the otherwise maximum allowable residential density under the Zoning Ordinance and land use element of the general plan as of the date of a complete application to the County.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

Density Bonus Housing Agreement: A legally binding agreement between a developer and the County to ensure that the requirements of the density bonus application and the Zoning Ordinance are satisfied.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

Density Bonus Permit: A permit issued by the County based upon an applicant's compliance with the requirements of the Density Bonus Program at Sections 6350 through 6399 and the Density Bonus Permit Procedures at Sections 7400 through 7449.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

Density Bonus Unit: As applied in the Density Bonus Program at Sections 6350 through 6399 and the Density Bonus Permit Procedures at Sections 7400 through 7449, density bonus unit is a residential unit that exceeds the number of units allowed under the otherwise maximum allowable residential density for the development site.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

Def. D

Density, Maximum Allowable Residential: (See Maximum Allowable Residential Density)

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

Designated Historic Landmark: (See Historic Landmark)

(Added by Ord. No. 5330 (N.S.) adopted 12-13-78)

(Deleted by Ord. No. 7101 (N.S.) adopted 3-12-86)

Designator: The numbers or letters or combination of both which prescribe the regulations for the Use Regulations, Animal Regulations, Development Regulations, and Special Area Regulations. It appears on the zoning map and refers to names of Use Regulations, types of Animal Regulations, types of Development Regulations, or names of Special Area Regulations.

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

Detached: (See Building Type, Nonresidential)

Development Regulations: That element of the zone which is represented by 9 designators corresponding to 9 aspects of physical development. These 9 aspects are: density, lot size, building type, maximum floor area, floor area ratio, height, coverage, setback, and useable open space. The Development Regulations regulate these subjects, by using the designators, in terms of certain minimum or maximum standards or of permitted buildings types.

Development Standard: As applied to the Density Bonus Program at Sections 6350 through 6399 and the Density Bonus Permit Procedures at Sections 7400 through 7449, development standard includes a site or construction condition including, but not limited to, a height limitation, a setback requirement, a floor area ratio, an onsite open-space requirement, or a parking ratio that applies to a residential development pursuant to any ordinance, general plan element, specific plan, charter, or other local condition, law, policy, resolution, or regulation.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

Dog: A canine that has reached the age of 4 months.

Double Detached: (See Building Types, Residential)

Drive-In: (See Enclosure)

Drive-In Theater: (See Adult Drive-In Theater)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Duplex: (See Building Type Residential)

Dwelling: A building or portion thereof used exclusively for residential purposes, including one-family, two-family and multiple dwellings, but not including hotels, boarding and lodging houses.

Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, and having only one kitchen.

Dwelling, Multi: (See Building Type, Residential)

## DEFINITIONS (E)

Easement: A recorded right or interest in the land of another, which entitled the holder thereof to some use, privilege or benefit out of or over said land.

Enclosed: (See Enclosure)

Enclosure: The degree that the storage and display of goods may be open and/or visible from public rights-of-way. The following are enclosure types:

1. Drive-In: Designed or operated so as to enable persons to receive a service or purchase or consume goods while remaining within a motor vehicle.
2. Enclosed: A roofed structure contained on all sides by walls which are pierced only by windows, vents, or customary entrances and exits.
3. Open: Unroofed or not contained on all sides by walls which are pierced only by windows, vents, or customary entrances and exits.
4. Semi-Enclosed: Contained on at least 50 percent of its perimeter by walls which are pierced only by windows, vents, or customary entrances and exits. The open sides of partially open structures shall not be visible from any public right-of-way.

Def. E

**Environmental Assessment:** A formal evaluation process to determine whether a proposed project will have a significant impact on the environment.

**EIR - Environmental Impact Report:** A report by the appropriate San Diego County granting authority which analyzes the environmental effects of a proposed project pursuant to the Environmental Quality Act of 1970.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83.)

**Essential Public Facility or Project:** Any structure or improvement necessary for the provision of public services, which must be located in the particular location to service its purpose and for which no less environmentally damaging location, alignment, or non-structural alternative exists.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

**Exterior Wall:** (See Wall, Exterior)

**DEFINITIONS (F)**

**Factory-Built Housing:** A unit defined as "factory-built housing" by Section 19971 of the Health and Safety Code which has the approval of the Department of Housing and Community Development of the State of California.

**Family:** An individual, or 2 or more persons (related or unrelated) living together as a single housekeeping unit in a dwelling unit.

(Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)

**Family Care Home:** A state-authorized, certified, or licensed family care home, foster home, or group home serving six or fewer elderly, mentally disordered or otherwise handicapped persons or dependent and neglected children and providing such care and service on a 24-hour-a-day basis. No facility shall qualify as a family care home if it is operated in such manner that facilities, activities, or events thereon are shared by more than 6 elderly, mentally disordered or otherwise handicapped persons or dependent and neglected children.

(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)

**Family Care Institution:** A state-authorized, certified, or licensed family care home, foster home, or group home which does not qualify as a family care home.

**Family Day Care Home for Children, Large:** A state-licensed family day care home serving nine to fourteen children where care, protection and supervision are regularly provided in the caregiver's own home for periods of less than 24 hours per day, while the parents or guardians are away. The number of children shall include children under the age of 10 years who reside at the home.



(Added by Ord. No. 6782 (N.S.) adopted 5-16-84)  
(Amended by Ord. No. 7743 (N.S.) adopted 3-28-90)  
(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)

Family Day Care Home For Children, Small: A state-licensed family day care home serving eight or fewer children where care, protection and supervision are regularly provided in the caregiver's own home for periods of less than 24 hours per day, while the parents or guardians are away. The number of children shall include children under the age of 10 years who reside at the home.

(Added by Ord. No. 7743 (N.S.) adopted 3-28-90)  
(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)

Farm Employee: A person who derives more than half of their total livelihood in the service of another person as an employee engaged in active commercial agriculture. "Farm Employee" does not include the owner or lessee of a particular property, or a person engaged in construction, alteration, painting, or repair of a structure, logging, or land surveying. "Farm Employee" may include a person engaged in brush or timber clearing, land grading or leveling when such activity is being carried out in preparation for farming.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
(Amended by Ord. No. 7110 (N.S.) adopted 4-2-86)  
(Amended by Ord. No. 10003 (N.S.) adopted 8-5-09)

Farm Employee Housing: A living unit or units for farm employees and their families consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household. This is an accessory use to active Commercial Agriculture, subject to Section 6156.u. Farm Employee Housing is not subject to Density Regulations.

(Added by Ord. No. 7790 (N.S.) adopted 08-01-90. This ordinance will expire on August 31, 1993, unless extended in connection with GPA 93-02)  
(Amended by Ord. No. 10003 (N.S.) adopted 8-5-09)

Farm Labor Camp: A living unit or units used for housing by 13 or more Farm Employees and their families or with 37 or more beds in a group quarters. This is an agricultural use, as a part of active commercial agriculture, subject to Section 1750 and Section 6906. A Farm Labor Camp is not subject to Density Regulations.

(Added by Ord. No. 10003 (N.S.) adopted 8-5-09)

Farmers' Market, Certified: (See Certified Farmers' Market)

(Added by Ord. No. 9958 (N.S.) adopted 12-10-08)

Fence, Non-View-Obscuring: (See Fence, Open)

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)

Fence, Open: A fence (and the gates in such fence) which permits direct vision through at least 80 percent of any one square foot segment of fence surface.

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)

Def. F

Fence, Solid: A fence (and the gates in such fence) constructed of solid material through which no visual images or light may be seen. Openings in such fence (and its gates when closed) shall not exceed 2 percent of any one square foot segment of the fence's surface which is more than 8 inches above the ground.

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)

Fence, View-Obscuring: A fence (and the gates in such fence) whose surface is covered by solid or opaque material through which no visual images may be seen. Openings in such a fence (and its gates when closed) shall not exceed 20 percent of any one square foot segment more than 8 inches above the ground, nor shall any opening exceed one-half inch in width. Woven wire or chain link fences containing slats are not view- obscuring fences.

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)

Fill: Any material or substance which is deposited, pushed, dumped, pulled or otherwise transported or moved to a new location for the purpose of elevating an area above the floodplain. Examples of fill materials include but are not limited to earth, excavated or dredged materials, sand, gravel, rock, asphalt, refuse and concrete rubble.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

Financial Pro Forma: As applied in the Density Bonus Program at Sections 6350 through 6399 and the Density Bonus Permit Procedures at Sections 7400 through 7449, a financial statement which clearly demonstrates that a requested incentive results in identifiable, financially sufficient, and actual cost reductions that contribute significantly to the economic feasibility of the reserved units in a proposed housing development.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

Flood: A general and temporary condition of partial or complete inundation of normally dry land area lying outside normal stream channel as a result of one or more of the following occurrences or conditions - the overflow of inland or tidal waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood, 10-Year: A flood estimated to occur at an average of once in 10 years (the flood having a 10 percent chance of being equaled or exceeded in any given year).

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

Flood, 100-year: A flood estimated to occur at an average of once in 100 years (the flood having a one percent chance of being equaled or exceeded in any given year).

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

5. Wells and springs providing water only to irrigate any agricultural use, that would not require transport on any public street or highway, and/or for otherwise exempt purposes.
6. Wells providing water exclusively to four or fewer contiguous residential parcels.

(Added by Ord. No. 8050 (N.S.) adopted 4-8-92)  
(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)  
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

**Guest Living Quarters:** Living quarters attached to a primary dwelling unit without interior access or within a detached accessory building, which are for the sole use of persons employed on the premises or for temporary use by guests of the occupants of premises. Individual guests may be accommodated for a period not to exceed thirty (30) calendar days in any calendar year. Guest living quarters have neither kitchen facilities, wetbars nor laundry facilities and are not rented or otherwise used as a separate dwelling.

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)(Formerly Guest House)  
(Amended by Ord. No. 7576 (N.S.) adopted 1-11-89)  
(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)  
(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)  
(Amended by Ord. No. 9982 (N.S.) adopted 4-22-09)

## DEFINITIONS (H)

**Habitable Space:** A space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, are not considered habitable space.

(Added by Ord. No. 6654 (N.S.) adopted 9-21-83)

**Hardscape:** Patterned paving material (i.e., tile or mortared pavers, wood timbers, colored patterned concrete providing a tile, brick or stone appearance), or an integral continuation of patterned paving material with enhanced concrete such as exposed aggregate, colored or salt finish.

(Added by Ord No 7735 (NS) adopted 3-13-90; operative 10-01-90)

**Height, Building:** The vertical distance above a referenced datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

1. The elevation of the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade.

Def. H

2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in Item 1 above is more than 10 feet above lowest grade.

The height of a stepped or terraced building is the maximum height of any segment of the building.

(Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)

Helicopter: A heavier than air aircraft that can take-off and land vertically or near vertically.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

Helipad: An area located on a commercial or public structure used for the take-off and landing of helicopters for the purpose of picking up or discharging passengers or cargo, but not including fuel service, maintenance or overhaul.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

Heliport: An area of land or water used for the take-off and landing of helicopters which area includes passenger and cargo facilities, maintenance and overhaul, fueling service, storage space, tie-down space, other accessory buildings, and open spaces.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

Helistop: An area of land, water or structure which is not designated as either a heliport or a helipad, used for the take-off and landing of a helicopter which is owned or controlled by the owner or occupant of the premises. Helistops are limited to tie-down or hangar facilities for the accommodation of a single helicopter. A helistop shall not include facilities for fuel service, maintenance or overhaul and shall not accommodate helicopters used for common carriers.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

Historic/Archaeological District: For purposes of this ordinance the term "Historic/Archaeological District" shall be defined as an area which has been identified as containing multiple historic, cultural, architectural and/or archaeological resources that have been recognized by the application of a special area designator pursuant to Section 5703 of this ordinance to promote the preservation, protection and perpetuation of the historic, archaeological, architectural and/or cultural values.

(Added by Ord. No. 7101 (N.S.) adopted 3-12-86)

(Amended by Ord. No. 8114 (N.S.) adopted 7-29-92)

Industrial Zone: A zone including a use regulation set forth in Sections 2500 through 2599, inclusive.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

Inoperative or Wrecked Motor Vehicles, Storage of: (See Storage of Inoperative or Wrecked Motor Vehicles)

(Added by Ord. No. 10095 (N.S.) adopted 12-8-10)

## DEFINITIONS (J)

Junk: Means secondhand or used machinery, equipment, appliances, furniture, motor vehicle parts, tires, lumber, rope, bottles, pipe, wire, drums, scrap metal, construction material, packaging material, including items made of or containing wood, metal, paper, plastic, clay, brick, glass, porcelain, rubber, concrete, or other personal property.

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

Junkyard: Any parcel, lot, contiguous lots or portions thereof used for dismantling, salvage, outside storage, purchase, sale, or exchange of junk, or containing any activity in the Scrap Operations use type. It is not an exception to this definition that a person intends or proposes to use the junk for some purpose.

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

## DEFINITIONS (K)

Kennel: Any lot, building, structure, enclosure or premises whereupon or wherein are kept seven or more dogs, cats or similar small animals in any combination, whether such keeping is for pleasure, profit, breeding, or exhibiting, and including places where dogs or cats or similar small animals in any combination are boarded, kept for sale, or kept for hire.

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

Kitchen: Any room used or intended or designed to be used for cooking or the preparation of food, including any room having a sink and either a 3/4 inch gas opening or provision for an electric stove.

Def. L

## DEFINITIONS (L)

**Legitimate or Live Theater:** A theater, concert hall, auditorium or similar establishment which, for any fee or consideration, regularly features live performances which are not distinguished or characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas in that any such depiction or description is only incidental to the primary purpose of the performance.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Limited:** (See Building Type, Mixed Residential-Nonresidential)

**Livestock:** An animal raised for food or other products. Typical examples include cattle, poultry and pigs. Animals raised for pleasure, exhibition or racing shall not be considered livestock.

(Added by Ord. No. 10003 (N.S.) adopted 8-5-09)

**Living Area:** The floor area under the roof of a dwelling unit that is contained within the interior surface of its perimeter walls, except as follows: Living area does not include garages or attics, and basements not designed, intended, and constructed for human habitation.

(Added by Ord. No. 8409 (N.S.) adopted 6-1-94)  
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

**Living Unit:** Any building or vehicle designed or used for human habitation, including, but not limited to a dwelling, guest house, accessory living quarters, farm employee housing, farm labor camp, transient habitation unit, or mobilehome.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Loading Space:** An area, other than a street or alley, on the same lot with a building or a group of buildings which is permanently reserved and maintained for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

**Lot:** Any of the following:

1. A parcel of real property shown as a delineated parcel of land with a number or other designation on a final map of subdivision recorded in the office of the County Recorder of San Diego County; or
2. A parcel of land, the dimensions or boundaries of which are defined by a Record of Survey Map recorded in the office of the County Recorder of San Diego County in accordance with the law regulating the subdivision of land; or
3. A parcel of real property not delineated in (1) or (2) above, and containing not less than the prescribed minimum area required in the zone in which it is located and which abuts at least one street and is held under one ownership.

## DEFINITIONS (M)

**Main Building:** A building or structure which is devoted primarily to a principal use or uses; or, the only building on a lot or building site.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Major Use Permit:** (See Use Permit, Major)

**Manufactured Home:** (See Mobilehome)

(Added by Ord. No. 6215 (N.S.) adopted 1-13-82)

**Manufacturing Zone:** A zone including a use regulation set forth in Sections 2500 through 2599, inclusive.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Market Rate Unit:** A dwelling unit that is not a reserved unit.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

**Marijuana Dispensary - Non-Medical (Not Authorized Under State Law):** Any store, office, business, building, property or other facility in or from which marijuana is sold, given, traded, supplied, bartered, consumed, raised, processed, stored, used, cultivated, possessed, or transported by any person other than a person authorized to possess or cultivate marijuana for the personal medical purposes of the qualified patient, pursuant to the provisions of the Compassionate Use Act of 1996 (Health and Safety Code Sections 11362.5 and following) and the Medical Marijuana Program Act (Health and Safety Code Sections 11362.7-11362.83). Persons authorized to possess or cultivate marijuana for the personal medical purposes of the qualified patient include persons, who under state law, are: (i) qualified patients, (ii) primary caregivers of qualified patients, or (iii) such patients and caregivers who associate to collectively or cooperatively cultivate marijuana for medical purposes.

(Added by Ord. No. 10062 (N.S.) adopted 6-30-10)

**Massage Parlor:** An establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist or similar professional person licensed by the State of California.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

Def. M

**Master Antenna Television (MATV) System:** A facility as described in Cable Television (CATV) System, but differentiated from the definition of a (CATV) System by virtue of (a) serving fewer than 50 subscribers, or (b) serving only the residents of an apartment dwelling under common ownership and consisting of not more than two buildings, or (c) providing service without charge.

**Materials Recovery Facility:** A facility that accepts source-separated or commingled recyclable materials, usually in an enclosed building, from collection facilities and the public; processes the materials into resalable condition, and markets the materials to companies for reuse. The end-products are materials recovered through the process. A materials recovery facility is considered to be a General Industrial use type and as such is permitted in the same locations and under the same conditions as other general industrial uses.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

**Maximum Allowable Residential Density:** The density calculated under Section 4115 of the Zoning Ordinance. If the density allowed under the Zoning Ordinance is inconsistent with the density allowed under the land use element of the general plan, the general plan density shall prevail.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

**Meteorological Testing (MET) Facility:** A tower with or without guy wires and any other equipment with a component, such as an anemometer or SODAR device, to measure meteorological phenomena, such as wind speed, wind direction, air pressure, rain, snow or sun exposure. A MET Facility shall not include a Wind Turbine.

(Added by Ord. No. 9971 (N.S.) adopted 02-25-09)

**Mezzanine or Mezzanine Floor:** An intermediate floor placed in any story or room. When the total area of any such Mezzanine Floor exceeds 33 1/3 percent of the total floor area in that room, it shall be considered as constituting an additional story. The clear height above or below a Mezzanine Floor construction shall be not less than 7 feet. An enclosed Mezzanine shall be counted as a story.

(Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)

**Mini-Mobilehome Park:** A mobilehome park subject to the regulations of Sections 6530 through 6544, inclusive.

(Added by Ord. No. 5612 (N.S.) adopted 10-10-79)

**Minor Deviation:** A slight increase or decrease in size, height or scope of a proposed project from the original approved permit decision and associated plans of an Administrative Permit, Variance, Site Plan or Use Permit which is considered in substantial conformance with the original approved project or latest approved modification.

(Added by Ord. No. 10204 (N.S.) adopted 3-28-12)

**Minor Use Permit:** (See Use Permit, Minor)



## DEFINITIONS (P)

**Parcel:** A contiguous quantity of land in the possession of, or owned by, or recorded as the property of, the same person.

**Parking Area:** An open area, other than a street or alley, which contains motor vehicle parking spaces.

(Amended by Ord. No. 5976 (N.S.) adopted 1-28-81)  
(Amended by Ord. No. 7432 (N.S.) adopted 01-06-88)

**Parking Garage:** A building other than a private or public garage used for the shelter or storage of operating motor vehicles and may, incidental thereto be used for the care, repair or equipping of such vehicles.

**Parking Space:** An unobstructed space or area other than a street or alley which is permanently reserved and maintained for the parking of one motor vehicle.

**Parlor:** (See Massage Parlor)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Patio Cover:** A one-story, open-sided shade structure consisting of a roof and structural supports, attached to or detached from the primary dwelling which is used only for recreational, outdoor living purposes and not as a carport, garage, storage room or habitable room. A patio cover may have enclosing walls in any configuration, provided the open area of the longer wall and one additional wall is equal to at least 65% of the area below a minimum of 6'-8" of each wall, measured from the floor. For the purposes of this definition, the term "open" includes the use of insect screen material.

(Added by Ord. No. 10006 (N.S.) adopted 9-16-09)

**Peep Show Device:** Any device which displays still or moving images in a peep show booth which depict specified anatomical areas or specified sexual activities upon payment of a fee or other consideration.

(Added by Ord. 8015 (N.S.) adopted 12-4-91)  
(Amended by Ord. 9469 (N.S.) adopted 6-12-02)

**Peep Show Booth:** Any room, booth, partial enclosure or partitioned area of any room in which a peep show device is located, with a seating capacity of five or fewer persons. It does not include an Adult Mini-Motion Picture Theater which has a seating capacity of more than five but less than fifty persons where still or motion images are regularly shown to an audience of more than five but less than fifty persons at any one time.

(Added by Ord. No. 8015 (N.S.) adopted 12-4-91)

**Penthouse:** A projection above the roof which when used only for the shelter of mechanical equipment or shelter of vertical shaft openings in the roof is not regarded as a story.

**Person:** Any individual, firm, copartnership, joint venture, association, syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit.

Def. P

**Photovoltaic Solar Energy System:** A type of solar energy system that converts solar energy into a usable form of electricity using Photovoltaic Solar Cells.

(Added by Ord. No. 10072 (N.S.) adopted 9-15-10)

**Planned Development:** A large, integrated development located on a single building site, or on 2 or more building sites which may be separated only by a street or other right-of-way. In such development, the land and structures shall be planned and developed as a whole in a single development operation or a series of operations in accordance with a detailed, comprehensive plan encompassing such elements as the location of structures, the circulation pattern, parking facility, open space, and utilities, together with a program for provision, operation and maintenance of all areas, improvements, facilities and services provided for the common use of the persons occupying or utilizing the property.

**Plot Plan:** A document or group of documents containing sketches, text, drawings, maps, photographs, and other material intended to present and explain certain elements of a proposed development, including physical design, siting and use of buildings and structures, interior vehicular and pedestrian access, the provision of improvements, and the interrelationship of these elements. The purpose of a plot plan is to establish a clear record of the development and use of the property.

(Added by Ord. No. 10204 (N.S.) adopted 3-28-12)

**Ponds:** (See Aquaculture)

(Added by Ord. No. 9935 (N.S.) adopted 4-23-08)

**Porte Cochere:** A covering over a driveway, (usually circular) or drive that allows a vehicle to continue onto another portion of the site, that provides temporary shelter to persons exiting a vehicle, but not serving as the only covered or enclosed vehicle shelter on-site.

(Added by Ord. No. 9935 (N.S.) adopted 4-23-08)

**Pot-Belly Pig:** A domesticated miniature Vietnamese, Chinese or Asian pot-bellied or pot-belly pig not exceeding one hundred twenty-five pounds in weight and not exceeding eighteen inches in height measured at the shoulder.

(Added by Ord. No. 10006 (N.S.) adopted 9-16-09)

**Poultry:** Chickens, turkeys, ducks and geese.

(Added by Ord. No. 6268 (N.S.) adopted 4-14-82)

**Premises:** Any building, structure, place, lot or parcel of land or any number of contiguous lots or parcels of land, in the possession or control of any person or in the joint or common possession or control of more than one person.

(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

**Principal Use(s):** The primary use(s) for which land or a building is or may be intended, occupied, maintained, arranged or designed.

**Private Garage:** An accessory building or an accessory portion of the main building, designed and/or used for the shelter or storage of vehicles owned or operated by the occupants of the main building.

**Psychiatric Facility:** An institution in which care or treatment is given to persons suffering from mental illness, disease, disorder or ailment. Such facilities include, but are not limited to, psychiatric hospitals, day treatment hospitals, long term care facilities, resident treatment centers, family homes (mentally ill), alcoholism, hospital, and facility for admission of drug addicts all as defined in Article 2 of Subchapter 1 of the Title 9 of the California Administrative Code.

**Public Active Park/Playground/Recreational Area:** An outdoor area, along with its incidental buildings and structures, at least part of which is designed, developed, and intended for organized sport or athletic activities and/or other activities or events to which groups of people greater than the family unit might be attracted as participants or spectators.

(Added by Ord. No. 8340 (N.S.) adopted 12-15-93)

**Public Garage:** A building other than a private or parking garage in which specific spaces or stalls are rented to individual members of the public for the shelter or storage of private automobiles and other forms of private transportation or recreational vehicles, and which may include as a use incidental thereto, the storage of personal effects and personal household articles.

**Public Park/Playground/Recreational Area:** An outdoor area, along with its incidental buildings and structures, owned and/or operated by a public agency or a non-profit organization, which is designed, developed and intended to provide one or more recreational opportunities to the general public. Public Park/Playground/Recreational Area includes the following: Public Passive Park/Recreational Area, and Public Active Park/Playground/Recreational Area.

(Added by Ord. No. 8340 (N.S.) adopted 12-15-93)

**Public Passive Park/Recreational Area:** An outdoor area, along with minimal incidental buildings and structures, designed, developed and intended for low intensity passive recreational use by individuals, families, or small groups. Public Passive Park/Recreational Areas may be of any size and may include wilderness, ecological or natural preserves.

(Added by Ord. No. 8340 (N.S.) adopted 12-15-93)

**Public Stable:** A stable used for the riding and performing of horses by other than the occupants of the premises or their nonpaying guests, but excluding boarding or breeding stables.

Def. R

## DEFINITIONS (R)

Rap Parlor: (See Massage Parlor)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Recreational Vehicles: A motorhome, travel trailer, truck camper or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy, with a living area less than 200 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, bath and toilet rooms.

Recycling Collection Facility, Drop-Off: A facility consisting of bins, boxes, or other suitable receptacles for the acceptance (by donation) of recyclable materials from the public. In Residential Zones and Special Purpose Zones, the total capacity of collection receptacles shall not exceed 192 cubic feet.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

Recycling Facility: A facility or portion of any premises used for the collection and/or processing of recyclable materials as that term is defined in this ordinance. Recycling facilities may include reverse vending machines, bulk reverse vending machines, mobile recycling units, kiosk type units and free-standing containers operated or placed in accordance with the standards established by this ordinance. Processing in a recycling facility may include baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding and cleaning. A recycling facility does not include storage containers or non-mechanical processing activity located on the premises of a residential use, or storage and processing activity located on the premises of a commercial or manufacturing use which is solely for the recycling of material generated by that residential property, business or manufacturer.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

Recyclable Material: Reusable material including but not limited to metals, glass, plastic and paper, which are intended for reuse, remanufacture, or reconstitution for sale or reuse. Recyclable material does not include refuse or hazardous materials. Recyclable material may include clean (uncontaminated) used motor oil and oil filters collected and transported in accordance with Section 25250.11 and 25143.2(b)(4) of the California Health and Safety Code.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

Refuse Disposal Site: An area devoted to the disposal of refuse, including incineration, reduction, or dumping of ashes, garbage, combustible or noncombustible garbage or refuse, offal or dead animals.

**Sign, Wall:** Any sign affixed to or painted directly upon a building facing in such a manner that the face of the sign is substantially parallel to the place of the building facing and does not project more than 16 inches, therefrom; provided, however, that any sign erected, painted or placed upon, against, or directly above a roof, the slope of which varies not more than 45 degrees from a vertical plane, shall be considered a wall sign. Permanent window signs shall be considered wall signs.

**Sign, Window:** Any sign temporarily affixed to or displayed on the interior of an establishment so as to be readable from the exterior thereof shall be considered a wall sign.

**Significant Habitat Lands:** Sensitive habitat lands with a combination of biological features that result in the likelihood of significant, unmitigable environmental impacts if developed.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

**Significant Investment in Buildings or Structures:** When used with reference to interim or temporary uses regulated by this Ordinance, "significant investment in buildings or structures" shall mean the placement or construction of any building, structure, or other improvement in such manner or at a cost as to be inconsistent with the temporary status of the use and which would preclude its ready removal from the site at a reasonable cost upon termination of the interim or temporary use.

(Added by Ord. No. 8506 (N.S.) adopted 3-01-95)

**Significant Prehistoric or Historic Sites:** Location of past intense human occupation where buried deposits can provide information regarding important scientific research questions about prehistoric or historic activities that have scientific, religious, or other ethnic value of local, regional, state, or federal importance. Such locations shall include, but not be limited to: any prehistoric or historic district, site, interrelated collection of features or artifacts, building, structures, or object included in or eligible for inclusion in the National Register of Historic Places, the State Landmark Register; or included in or eligible for inclusion, but not rejected, for the San Diego County Historical Site Board List; any area of past human occupation located on public or private land where important prehistoric or historic activities and/or events occurred; and any location of past or current sacred religious or ceremonial observances protected under Public Law 95-341, the American Indian Religious Freedom Act or Public Resources Code Section 5097.9, such as burial(s), pictographs, petroglyphs, solstice observatory sites, sacred shrines, religious ground figures, and natural rocks or places which are of ritual, ceremonial, or sacred value to any prehistoric or historic ethnic group.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

**Single Detached:** (See Building Type, Residential)

**Site Plan Permit:** A permit which may be granted by the appropriate County officer or body to provide a review procedure for development proposals which is concerned with physical design, siting, interior vehicular and pedestrian access, and the interrelationship of these elements.

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

**Solar Energy System, Offsite Use:** A solar energy conversion system consistent with the requirements of section 6952 for offsite energy use. The energy generated is predominately used offsite.

Def. S

(Added by Ord. No. 10072 (N.S.) adopted 9-15-10)

**Solar Energy System, Onsite Use:** A solar energy conversion system consistent with the requirements of section 6952 for onsite energy use. The energy generated is predominately used onsite.

(Added by Ord. No. 10072 (N.S.) adopted 9-15-10)

**Special Area:** That element of the zone which indicates, by means of a letter designator, the Special Area Regulations which apply to that zone.

**Special Parking District:** An area, described in Section 5761, where reduced off-street parking may be authorized.

(Added by Ord. No. 8407 (N.S.) adopted 5-18-94)

**Special Purpose Zone:** A zone including a use regulations set forth in Sections 2800 through 2979, inclusive.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Specified Anatomical Areas:**

1. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areolae; or
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Specified Sexual Activities:**

1. The fondling or other touching of human genitals, pubic region, buttocks, anus, or female breasts; or
2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; or
3. Masturbation, actual or simulated; or
4. Excretory functions as part of or in connection with any of the activities set forth in 1 through 3 above.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Stable, Boarding or Breeding:** (See Boarding or Breeding Stable)

**Stable, Private:** (See Horsekeeping)

**Stable, Public:** (See Public Stable)

Stacked: (See Building Type, Residential)

Stand: A structure for the display and sale of farm products with no space for customers within the structure itself.

Standard Mobilehome Park: (See Mobilehome Park, Standard)

(Added by Ord. No. 5612 (N.S.) adopted 10-10-79)

Steep Slope Lands: All lands having a slope with natural gradient of 25 percent or greater and a minimum rise of 50 feet, unless said lands have been substantially disturbed by previous legal grading.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

Storage of Inoperative or Wrecked Motor Vehicles: Storage of inoperative or wrecked motor vehicles shall only be allowed as long as there are no more than two inoperative or wrecked motor vehicles (as those terms are defined in section 21.602 of the County Code) on a parcel or property made up of one or more contiguous parcels, the vehicles are not being stored contrary to section 78.104 of the County Code and no owner or occupant of the property is operating a motor vehicle wrecking yard, as that term is defined in section 21.602(f) of the County Code. This limitation of the number of vehicles shall not apply to the storage of vehicles pursuant to Section 1430(i).

(Added by Ord. No. 10095 (N.S.) adopted 12-8-10)

Storage of Nonoperating Vehicles: A nonoperating vehicle means a vehicle that may be capable of operating under its own power but is being stored at a licensed storage yard and is not in the possession of the registered owner. Storage of nonoperating motor vehicles shall not include automobile wrecking.

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

Story: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above (see "Attic Story" and "Crawl Space"). The maximum height of a story between floors shall be 14 feet. If the finished floor level directly above a basement, cellar, or unused under-floor space is more than 6 feet above the adjacent elevation for more than 50 percent of the total perimeter or is more than 12 feet above the adjacent elevation at any point, such basement, cellar or unused under-floor space shall be considered as a story. The total perimeter shall be measured along the outer limits of the area of the floor level in question. The adjacent elevation shall be grade as defined herein but shall not include fill material that has been mounded or placed for landscaping, thermal insulation, sound attenuation or for any other purpose if such mounding or placement would allow additional floor levels or building heights greater than otherwise permitted.

(Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)

(Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)

(Amended by Ord. No. 7306 (N.S.) adopted 5-20-87)

(Amended by Ord. No. 7935 (N.S.) adopted 6-19-91)

(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

Def. S

Story, Attic: (See Attic Story)

(Added by Ord. No. 10095 (N.S.) adopted 12-8-10)

Story, First: The lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than 4 feet below grade, as defined herein, for more than 50 percent of the total perimeter, or more than 8 feet below grade, as defined herein, at any point.

(Added by Ord. No. 6134 (N.S.) adopted 7-22-81)

Street: A County road, State highway, public road, street or alley, or private thoroughfare or easement (or proposed private thoroughfare or easement shown on a recorded parcel map) not less than 10 feet in width connecting with a County road, State highway, public road, street or alley which affords primary access to an abutting lot.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

Street, Centerline of: The centerline of a street as established in accordance with the provisions of Chapter 3 of Division 1 of Title 5 of the San Diego County Code.

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

Street Line: The boundary line between a street and the abutting property.

Street, Side: A street which is adjacent to a corner lot and which extends in the general direction of the line determining the depth of the lot.

Structure: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Structural Alterations: Any change in the supporting members of a building such as foundations, bearing walls, columns, beams, floor or roof joists, girders or rafters, or changes in roof or exterior lines.

Substantial Improvement: Any repair, reconstruction, or improvement of structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (a) before improvement is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any alteration to comply with existing state or local health, sanitary, building or safety codes or regulations or (2) any alteration of a structure listed on the National Register or Historic Places or a State inventory of Historic Places.

Supportive Housing: Shall have the meaning prescribed in Health and Safety Code 50675.14(b). The design of the structures determines Family Residential or Group Residential Use Type.

(Added by Ord.No. 10035 (N.S.) adopted 1-27-10)



Swap Lot: A building, structure, enclosure lot or other area into which persons are admitted to display, exchange, barter, sell or bargain for new or used merchandise. carried on in a swap lot.

Swimming Pool: Any confined body of water exceeding 2 feet in depth and located either above or below the existing finished grade of the site, designed, used or intended to be used for swimming, bathing or therapeutic purposes.

## DEFINITIONS (T)

Take-off and Landing Area: That area of any helicopter facility where the helicopter actually lands and takes off, and includes the touch down area.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

Trade School: (See School, Trade)

(Added by Ord. No. 10095 (N.S.) adopted 12-8-10)

Trailer Coach: Any vehicle, with or without motive power, designed or used for human occupancy for residential, recreational, industrial, professional, or commercial purposes and shall include camp car, mobilehome and travel trailer.

(Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)

Transient Habitation Unit: Living quarters intended exclusively for occupation by transient persons. A transient habitation unit may include a hotel or motel room or suite of rooms, a cabin or a campground space.

Transitional Housing: Shall have the meaning prescribed in Health and Safety Code 50675.2(h). The design of the structures determines Family Residential or Group Residential Use Type.

(Added by Ord. No. 10035 (N.S.) adopted 1-27-10)

Tree: A perennial woody plant with one or more well defined stems or trunks which, at maturity, is largely kept clear of leaves and branches at least 5 feet above grade.

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

Triplex: (See Building Type; Residential Triplex)

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

Def. U

## DEFINITIONS (U)

**U-Pick or Pick-Your-Own Operations:** A Commercial Agriculture operation such as a farm, orchard or grove where the customers themselves harvest the products grown on-site.

(Added by Ord. No. 10204 (N.S.) adopted 3-28-12)

**Ultralight Vehicle:** A powered or unpowered vehicle that is defined and described in Federal Aviation Regulations (FAR), Part 103, promulgated by the United States Government, Department of Transportation (DOT), Federal Aviation Administration (FAA), as that regulation is presently written or as it may be amended.

(Added by Ord. No. 7197 (N.S.) adopted 9-10-86)

**Unit, Base:** (See Base Units)

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

**Unit, Density Bonus:** (See Density Bonus Unit)

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

**Unit, Market Rate:** (See Market Rate Unit)

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

**Unit, Reserved:** (See Reserved Unit)

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

**Unlimited:** (See Building Type, Mixed Residential-Nonresidential)

**Usable Open Space:** One or more open areas adjacent to residential uses, the purpose of which is to provide an outdoor area designed for outdoor living and recreation, and which is located at, below, or above grade.

**Usable Open Space, Group:** Usable open space intended for common use by occupants of a development, either privately owned and maintained or dedicated to a public agency, normally including swimming pools, recreation courts, patios, open landscaped areas, and greenbelts with pedestrian walkways and equestrian and bicycle trails. Group usable open space does not include off-street parking and loading areas or driveways.

**Usable Open Space, Private:** Usable open space intended for use of occupants of one dwelling unit, normally including yards, decks, and balconies.

**Use:** The purpose for which land or a building is occupied, arranged, designed or intended, or for which land or a building is or may be occupied or maintained.

**Use, Accessory:** (See Accessory Use)

**Use Classification:** A system of classifying uses into a limited number of use types on the basis of common functional, product, or compatibility characteristics. All use types are grouped into the following categories: Residential, Civic, Commercial, Industrial, Agricultural, and Extractive.

**Use of the Property In Reliance on a Permit:** (See "Construction and/or Use of the Property In Reliance on a Permit")

(Added by Ord. No. 10204 (N.S.) adopted 3-28-12)

**Use Permit:** A permit which may be granted by the appropriate San Diego County authority to provide for the accommodation of land uses with special site or design requirements, operation characteristics, or potential adverse effects on surroundings, which are not permitted as of right but which may be approved upon completion of a review process and, where necessary, the imposition of special conditions of approval by the permit granting authority.

**Use Permit, Concurrent:** Use permits filed concurrently with an application requesting amendment of the Zoning Ordinance applicable to the land under the original jurisdiction of the Planning Commission.

**Use Permit, Major:** Use permit under the original jurisdiction of the Planning Commission.

(Amended by Ord. No. 6505 (N.S.) adopted 1-5-83)

(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)

(Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)

**Use Permit, Minor:** Use permit normally under the original jurisdiction of the Director.

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

**Use, Principal:** (See Principal Use)

**Use Type:** (See Use Classification)

**Use Regulations:** That element of the zone which indicates, by means of a designator combining a letter and a number, the use types which are permitted in that zone.

## DEFINITIONS (V)

**Variance:** A departure from the specific requirements of the Zoning Ordinance which may be granted by the appropriate San Diego County authority when the literal enforcement of these requirements would result in practical difficulties, unnecessary hardship, or results inconsistent with the general purposes of this ordinance.

**Vermiculture or vermicomposting:** A form of animal husbandry involving the raising of worms of the taxonomic phylum Annelida (segmented worms) and/or the use of said worms to convert organic matter into compost.

(Added by Ord. No. 10006 (N.S.) adopted 9-16-09)

Def. V

Very Low-Income Family: (See Household, Very Low Income)

(Added by Ord. No. 5781 (N.S.) adopted 6-4-80)  
(Amended by Ord. No. 10068 (N.S.) adopted 8-4-10)

Very Low-Income Household: (See Household, Very Low Income)

(Added by Ord. No. 5781 (N.S.) adopted 6-4-80)  
(Amended by Ord. No. 10068 (N.S.) adopted 8-4-10)

Vocational School: (See School, Vocational)

(Added by Ord. No. 10095 (N.S.) adopted 12-8-10)

## DEFINITIONS (W)

Wall, Exterior: Any wall or element of a wall or any member or group of members, which defines the exterior boundaries or courts of a building and which has a slope of 60 degrees or greater with the horizontal plane.

Wall, Solid: (See Fence, Solid)

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)

Wall, View-Obscuring: (See Fence, View-Obscuring)

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)

Wetland: All lands which are transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or where the land is covered by water. All lands having one or more of the following attributes are "wetlands":

- a. At least periodically, the land supports predominantly hydrophytes;
- b. The substrate is predominantly undrained hydric soil; or
- c. The substrate is nonsoil and is saturated with water or covered by water at some time during the growing season of each year.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

Wetland Buffer: Lands which provide a buffer area of an appropriate size to protect the environmental and functional habitat values of the wetland, or which are integrally important in supporting the full range of the wetland and adjacent upland biological community.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

Windmill: A device which converts the kinetic energy of the wind into a useable form of mechanical energy.

(Added by Ord. No. 6857 (N.S.) adopted 10-10-84. Opr. 1-1-85)

Wind Turbine: A device which converts the kinetic energy of the wind into a useable form of electrical energy. A Wind Turbine is not a Meteorological Testing (MET) Facility.

(Added by Ord. No. 6857 (N.S.) adopted 10-10-84. Opr. 1-1-85)  
(Amended by Ord. No. 9971 (N.S.) adopted 02-25-09)

Wind Turbine System, Small: An installation consisting of no more than one wind turbine with a maximum blade swept area of 220 square feet. This area shall be measured in the vertical plane perpendicular to the wind direction. (A 220 square foot blade swept area corresponds approximately with a blade diameter of 16.5 feet for a conventional horizontal axis wind turbine.)

(Added by Ord. No. 7117 (N.S.) adopted 4-23-86)

Wind Turbine System, Medium: An installation consisting of one to five wind turbines in which the sum of the blade swept area of the turbines is no more than 850 square feet. This area shall be measured in the vertical plane perpendicular to the wind direction. (A 850 square foot blade swept area corresponds approximately with a blade diameter of 33 feet for one conventional horizontal axis wind turbine).

(Added by Ord. No. 7117 (N.S.) adopted 4-23-86)  
(Amended by Ord. No. 10073 (N.S.), adopted 9-15-10)

Wind Turbine System, Large: An installation consisting of one or more wind turbines in which the sum of the blade swept area of all turbines is greater than 850 square feet. This area shall be measured in the vertical plane perpendicular to wind direction. No individual wind turbine shall have a blade swept area greater than 6400 square feet. The "Wind Turbine System, Large" shall be classified as a Major Impact Services and Utilities use type.

(Added by Ord. No. 7117 (N.S.) adopted 4-23-86)  
(Amended by Ord. No. 10073 (N.S.), adopted 9-15-10)

Wind Turbine, Non-operational: Any wind turbine(s) whose power output (in kilowatt hours) for any consecutive 12 months is less than 10% of the expected power output. The expected power output for commercial wind turbines shall be the amount claimed in the company's prospectus.

(Added by Ord. No. 7117 (N.S.) adopted 4-23-86)

Wood Waste: Lumber and wood products but excluding painted wood, wood treated with chemicals, and pressure treated wood.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

Def. W

Wood and Green Waste Composting Facility: A facility where wood and/or green waste decompose in a controlled environment into compost, soil amendment or other products. A composting facility may employ mechanical equipment to turn the piles and provide aeration. Composting may be conducted within an enclosed building or in the open such as in windrow composting. Backyard composting by homeowners and composting of material generated by an agricultural operation for the purpose of mulching or soil amendment on property in the same ownership as that where composting takes place shall not be considered a Wood and Green Waste Composting Facility. The composting of municipal sewage sludge shall also not be considered a Wood and Green Waste Composting Facility even if such composting operation utilizes wood or green waste.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

DEFINITIONS (Y)

Yard: An open, unoccupied space, other than a court, unobstructed from the ground to the sky, except as otherwise provided by this ordinance, on the lot on which a building is situated.

Yard, Front: The yard between a front lot line or lines and the line defined by the required front yard setback.

Yard, Rear: The yard between a rear lot line or lines and the line defined by a required rear yard setback.

Yard, Side: The yard between a side lot line or lines and the line defined by a required side yard setback, extending from the front to the rear yard.

Yard, Side, Exterior: A side yard abutting a street.

Yard, Side, Interior: A side yard other than an exterior side yard.

DEFINITIONS (Z)

Zone: A mapped area to which a uniform set of regulations applies, or a uniform set of regulations described by a use designator, an animal designator, a development designator, and an optional special area designator.

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

#### 1334 EMERGENCY SHELTERS.

The Emergency Shelters use type refers to housing as defined by subdivision (e) of Section 50801 of the Health and Safety Code.

(Added by Ord. No. 10035 (N.S.) adopted 1-27-10)

#### 1335 ESSENTIAL SERVICES.

The Essential Services use type refers to services which are necessary to support principal development and involve only minor structures, such as utility lines and/or poles, which are necessary to support principal development. Essential Services also includes a public passive park/recreational area.

(Amended by Ord. No. 8340 (N.S.) adopted 12-15-93)

#### 1340 FIRE PROTECTION SERVICES.

The Fire Protection Services use type refers to the providing of fire protection by a district or an entity organized pursuant to Health and Safety Code Sections 14825 et seq. and the housing of fire trucks, fire fighting personnel and related equipment.

#### 1345 GROUP CARE.

The Group Care use type refers to services provided in facilities and authorized, certified or licensed by the State to provide board, room and personal care to 7 or more persons or dependent and neglected children or in facilities authorized to provide day care services but excluding those uses classified under Child Care Center or Major Impact Services and Utilities. Typical uses include halfway houses, intermediate care facilities, and, day care facilities serving more than 50 persons.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)

(Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)

(Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)

#### 1346 LAW ENFORCEMENT SERVICES.

The Law Enforcement Services use type refers to the provision of police protection by a governmental agency, including administrative offices, storage of equipment and the open or enclosed parking of patrol vehicles.

(Added by Ord. No. 8175 (N.S.) adopted 11-18-92)

#### 1348 CIVIC, FRATERNAL OR RELIGIOUS ASSEMBLY.

The Civic, Fraternal or Religious Assembly use type refers to meetings and activities attended regularly by and conducted primarily for their members, by nonprofit organizations which are tax-exempt pursuant to Section 501 (c) of the Internal Revenue Code and which may meet during or after regular business hours. Typical uses include meeting places for civic clubs, ethnic associations, social clubs, scouting organizations (other than 1505, Participant Sports and Recreation), churches, mosques, synagogues, temples, or fraternal or veterans organizations. Excluded from this use type are uses classified as Group Residential, Group Care, or Transient Habitation (all types).

1348

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)  
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

**1350 MAJOR IMPACT SERVICES AND UTILITIES.**

The Major Impact Services and Utilities use type refers to public or private services and utilities which have substantial impact. Such uses may be conditionally permitted in any zone when the public interest supersedes the usual limitations placed on land use and transcends the usual restraints of zoning for reasons of necessary location and community wide interest. Typical places or uses are schools, sanitary landfills, public and private airports, public park/playground/recreational areas (other than public passive park/recreational areas), hospitals, psychiatric facilities, cemeteries, nursing homes, detention and correction institutions, trade schools (with outdoor training facilities) or security, law enforcement, military, paramilitary type training facilities, or field medical training uses.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)  
(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)  
(Amended by Ord. No. 7850 (N.S.) adopted 1-16-91)  
(Amended by Ord. No. 8340 (N.S.) adopted 12-15-93)  
(Amended by Ord. No. 10095 (N.S.) adopted 12-3-10)  
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

**1355 MINOR IMPACT UTILITIES.**

The Minor Impact Utilities use type refers to public utilities which have a local impact on surrounding properties and are necessary to provide essential services. Typical uses are electrical and gas distribution substations.

**1360 PARKING SERVICES.**

The Parking Services use type refers to parking services involving garages and lots which are publicly operated.

**1365 POSTAL SERVICES.**

The Postal Service use type refers to mailing services excluding major processing, owned or operated by governmental agencies as traditionally provided by the United States Postal Service.

**1375 SMALL SCHOOLS.**

The Small Schools use type refers to the education of 7 or more children, adults, elderly persons, or handicapped persons at one time (but not more than 50), but excluding overnight care or uses classified as Group Care or Major Impact Services and Utilities. Typical uses include day care facilities for the elderly and schools for not more than 50 children or adults.

(Added by Ord. No. 6654 (N.S.) adopted 9-21-83)  
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)  
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)



## COMMERCIAL USE TYPES

### 1400 GENERAL DESCRIPTION OF COMMERCIAL USE TYPES.

Commercial use types include the distribution and sale or rental of goods; and the provision of services other than those classified as Civic Uses. They also include certain uses accessory to the above, as specified in Section 6150, Accessory Use Regulations.

### 1410 ADMINISTRATIVE AND PROFESSIONAL SERVICES.

The Administrative Professional Services use type refers to offices of private firms or organizations which are primarily used for the provision of professional, executive, management or administrative services. Typical uses include administrative offices, legal offices, or architectural firms.

### 1415 AGRICULTURAL AND HORTICULTURAL SALES.

The Agricultural and Horticultural Sales use type refers to sale from the premises of agricultural and horticultural goods.

- a. Agricultural Sales. Sale of feed, grain, fertilizers, pesticides and similar goods. Typical items include nurseries, hay, feed and grain stores.
- b. Horticultural Sales. Retail sale only of horticultural and floricultural specialties and related nursery items. Typical items include flowers, shrubs, trees and garden tools and supplies.

(Amended by Ord. No. 6284 (N.S.) adopted 5-5-82)

### 1420 AGRICULTURAL SERVICES.

The Agricultural Services use type refers to establishments or places of business engaged in the provision of agriculturally related services with incidental storage on lots other than where the service is rendered. Typical uses include crop dusting or tree service firms.

### 1425 ANIMAL SALES AND SERVICES.

Animal Sales and Services refers to establishments or places of business primarily engaged in animal related sales and services. The following are animals sales and services use types:

- a. Animal Sales and Services: Auctioning. Auctioning of livestock on a wholesale or retail basis with incidental storage of animals produced off property not exceeding 48-hour periods. The auctioning of miscellaneous related items may be conducted in conjunction with animal auctioning, if the auctioning of miscellaneous related items is conducted by the same operator as the animal auction, the number of days and hours of operation do not exceed those in which animal auctions are held, and the impacts resulting from the miscellaneous items auction activity do not exceed those of the animal auction. Typical uses include animal auctions or livestock auction yards.
- b. Animal Sales and Services: Grooming. Grooming of dogs, cats and similar small animals. Typical uses include dog bathing and clipping salons or pet grooming shops.
- c. Animal Sales and Services: Horse Stables. Boarding, breeding or raising of horses for commercial purposes. This does not include the non-commercial use of horses owned by the occupants of the premises. Typical uses include boarding stables or public stables.
- d. Animal Sales and Services: Kennels. Kennel services for dogs, cats and similar small animals. Typical uses include boarding kennels, pet motels, dog daycare or dog training centers.
- e. Animal Sales and Services: Stockyards. Stockyard services involving the temporary keeping of transient livestock for slaughter, market or shipping. Typical uses include stockyards or animal sales yards.
- f. Animal Sales and Services: Veterinary (Large Animals). Veterinary services for large animals. Typical uses include animal hospitals (large animals) or veterinary hospitals (large animals). Boarding of animals or grooming of animals may be allowed as accessory to the veterinary use.
- g. Animal Sales and Services: Veterinary (Small Animals). Veterinary services for small animals. Typical uses include pet clinics, dog and cat hospitals or animal hospitals (small animals). Boarding of animals or grooming of animals may be allowed as accessory to the veterinary use.

(Amended by Ord. No. 7981 (N.S.) adopted 10-2-91)  
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 1430 AUTOMOTIVE AND EQUIPMENT.

Automotive and equipment refers to establishments or places of business primarily engaged in automotive related or heavy equipment sales or service. The following are automotive and equipment use types:

- a. Automotive and Equipment: Cleaning. Washing and polishing of automobiles. Typical uses include auto laundries or car washes.

#### 1490 GASOLINE SALES.

The Gasoline Sales use type refers to establishments or places of business primarily engaged in the retail sales, from the premises, of petroleum products, alternative vehicle fuels (including but not limited to natural gas (CNG) or biodiesel) and includes the sale of tires, batteries, and replacement items, lubricating services and minor repair services. Typical uses include automobile service stations, filling stations or truck stops.

(Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 1495 LAUNDRY SERVICES.

The Laundry Services use type refers to establishments primarily engaged in the provision of laundering, dry cleaning or dyeing services other than those classified as Personal Services, General. Typical uses include laundry agencies, diaper services or linen supply services.

#### 1500 MEDICAL SERVICES.

The Medical Services use type refers to establishments primarily engaged in the provision of personal health services ranging from prevention, diagnosis and treatment or rehabilitation services provided by physicians, dentists, nurses and other health personnel as well as the provision of medical testing and analysis services, but excludes those classified as any civic use type. Typical uses include medical offices, dental laboratories or health maintenance organizations.

#### 1505 PARTICIPANT SPORTS AND RECREATION.

Participant Sports and Recreation refers to establishments or places primarily engaged in the provision of sports or recreation by and for participants. Any spectators would be incidental and on a nonrecurring basis. The following are participant sports and recreation use types:

- a. Participant Sports and Recreation: Indoor. Those uses conducted within an enclosed building. Typical uses include bowling alleys or billiard parlors
- b. Participant Sports and Recreation: Outdoor. Those uses conducted in open facilities. Typical uses include driving ranges or miniature golf courses, athletic facilities, carnival facilities, sports fields, health clubs and spas, swimming beaches, swimming pools and nudist facilities.

(Amended by Ord. No. 7106 (N.S.) adopted 3-19-86)

(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

1510

**1510 PERSONAL SERVICES, GENERAL.**

The Personal Services, General use type refers to establishments primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature but excludes services classified a Spectator Sports and Entertainment, Participant Sports and Recreation, or Transient Habitation. Typical uses include art studios, barber shops, beauty salons, photography studios, massage parlors, vocational schools, trade schools, dance studios or reducing salons.

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

**1512 RECYCLING COLLECTION FACILITY.**

The Recycling Collection Facility use type refers to establishments or places primarily engaged in collecting recyclable materials for the purpose of resource recovery. Typical uses include collection centers that use portable receptacles for collecting containers made from metal, glass, paper or plastic. The following are Recycling Collection Facility use types:

- a. Recycling Collection Facility, Small: A facility for the acceptance (donation, redemption, or sale) of recyclable materials from the public which occupies an area of not more than 500 square feet. Except for reverse vending machines, such a facility does not utilize power-driven equipment. Small collection facilities may consist of the following:
  1. Reverse vending machines.
  2. Mobile recycling units.
  3. Bulk reverse vending machines.
  4. Kiosk type units.
  5. Free-standing containers.
- b. Recycling Collection Facility, Large: A facility for the acceptance (donation, redemption, or sale) of recyclable materials from the public which occupies an area of more than 500 square feet. Such a facility may employ the same collection methods of a small recycling facility but in addition, may aggregate and/or sort recyclable materials on site in preparation for shipment to a processing facility. A large collection facility may also utilize power-driven equipment.

(Added by Ord. No. 6134 (N.S.) adopted 7-22-81)

(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)

**1513 RECYCLING PROCESSING FACILITY**

The Recycling Processing Facility use type refers to establishments or places primarily engaged in processing recyclable materials for the purpose of resource recovery. Processing means the preparation of materials by one or more of the following means: baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding and cleaning. Recycling processing facilities include the following:

**USE & ENCLOSURE MATRIX**

SUMMARY PREPARED PURSUANT TO SECTIONS 2990 AND 6816

NOTE: This matrix is a summary only. For complete regulations see appropriate sections of The Zoning Ordinance. In case of conflict between the provisions graphically represented in this matrix and the provisions set forth in the text of The Zoning Ordinance, the provisions of The Zoning Ordinance shall apply.

USE TYPES																										
RESIDENTIAL												CIVIC														
Family Residential												Enclosed														
Group Residential												Open														
Mobilehome Residential												Drive-in														
												Administrative Services														
												Ambulance Services (see Sec. 6900)														
												Clinic Services														
												Community Recreation														
												Cultural Exhibits and Library Services														
												Child Care Center														
												Emergency Shelters (see Sec. 6911)														
												Fire Protection Services														
												Group Care														
												Law Enforcement Services														
												Civic Fraternal or Religious Assembly														
												Major Impact Services														
												Minor Impact Services														
												Parking Services														
												Postal Services														
												Small Schools														
												Wind Turbine System, Med. (see Sec. 6950)														
1250	1260	1265	1280	1300	See Section 6816	1310	1315	1320	1325	1330	1332	1334	1335	1340	1345	1346	1348	1350	1355	1360	1365	1375	1380	Use Regulations		
RS	●		18		●	●		M		M	M	M	M	●	S	M		M	M	m	M	M	m	A	RS Single-Family Residential	
RD	●		18		●	●		M		M	M	M	M	●	S	M		M	M	m	M	M	m	A	RD Duplex/Two-Family Residential	
RM	●		18		●	●		M		M	M	M	M	●	S	M		M	M	m	M	M	m	A	RM Multi-Family Residential	
RV	●		18		●	●		M		M	M	M	M	●	S	M		M	M	m	M	M	m	A	RV Variable Family Residential	
RU	●	●	18		●	●		M	M	M	M	M	M	●	S	M		M	M	m	M	M	m	A	RU Urban Residential	
RMH	●		18		●	●		M		M	M	M	M	●	S	M		M	M	m	M	M	m	A	RMH Mobilehome Residential	
RR	●	M	18		●	●	m	M	M	M	M	M	M	●	S	M	M	M	M	m	M	M	m	A	RR Rural Residential	
RRO	●	M	18		●	●	m	M	M	M	M	M	M	●	S			M	M	m	M	M	m	A	RRO* Recreation-Oriented Residential	
RC	●	●	18		●	●		M	M	●	M	●	●	●	S	●	●	●	M	m	M	M	●	A	RC Residential-Commercial	
COMMERCIAL																										
C30					●	●		●	●	●	M	●	●	●	S		●	M	M	m	●	M	●	A	C30 Office-Professional	
C31	●	●			●	●		●	●	●	M	●	●	●	S	●	M	M	M	m	●	M	●	A	C31 Residential/Office Professional	
C32	1				●	●		M	M	M	M	M	●	●	S		●	M	M	m	M	M	●	A	C32 Convenience Commercial	
C34*	●	●			●	●		●	●	●	●	●	●	●	S	●	●	●	M	m	●	●	●	A	C34* Gen. Commercial/Residential	
C35	M				●	●		●	●	●	●	●	●	●	S	●	●	●	M	m	●	●	●	A	C35 Gen. Comm./Ltd. Residential	
C36	1	M			●	●		●	●	●	●	●	●	●	S		●	●	M	●	●	●	●	A	C36 General Commercial	
C37	1	M			●	●	●	●	●	●	●	●	●	●	S	●	●	●	M	●	●	●	●	A	C37 Heavy Commercial	
C38	1				●	●	●	●	●	M	●	●	●	●	S		●	M	●	●	●	●	●	A	C38 Service Commercial	
C40	1				●	●	●	●	●	●	●	●	●	●	S		●	●	M	m	●	●	●	A	C40 Rural Commercial	
C42*	20				●	●		●	●	●	●	●	●	●	S				m	●				A	C42* Visitor Serving Commercial	
C44					●	●	●	M	M	M	M	●	●	●	S		●	M	M	m	M	M	●	A	C44 Freeway Commercial	
C46*					●	●		M	M	●	M	●	●	●	S	●	●	●	M	m	●	●	●	A	C46* Medical Center	
INDUSTRIAL																										
M50					●	●		M	●	M	●	M	M	●	●	S		●	M	M	m	●	●	m	A	M50 Basic Industrial
M52					●	●		M	●	M	●	M	M	●	●	S		●	M	M	m	●	●	m	A	M52 Limited Impact Industrial
M54					●	●		M	●	M	●	M	M	●	●	S		●	M	M	●	●	●	m	A	M54 General Impact Industrial
M56+					●	●		M	●	M	●	M	M	●	●	S		●	M	M	●	●	●	m	A	M56+ Mixed Industrial
M58					●	●		M	●	M	●	M	M	●	●	S		●	M	M	●	●	●	m	A	M58 High Impact Industrial
AGRICULTURAL																										
A70	●	M	18		●	●	m	M	M	M	M	M	M	●	S	M	m	M	M	m	M	M	m	A	A70 Limited Agriculture	
A72	●	M	18		●	●	m	M	M	M	M	M	M	●	S	M	S	M	M	m	M	M	m	A	A72 General Agriculture	
SPECIAL PURPOSE																										
S80*	●				●	●		M	M	M	M	M	M	●	S			M	M	m	M	M	m	A	S80* Open Space	
S81					●	●								●	S										A	S81 Ecological Resource Area
S82					●	●		M	M	M	M	M		●	S		m	M	M	m	M	M			A	S82 Extractive
S86					●	●								●	S		m			m	●				A	S86 Parking
S88+	●				●	●	●							●	S		m								A	S88+ Specific Plan Area
S90+	●	M			●	●	m	M	M	M	M	M	M	●	S	M	m	M	M	m	M	M	m	A	S90+ Holding Area	
S92	●	M			●	●	m	M	M	M	M	M	M	●	S	M	S	M	M	m	M	M	m	A	S92 General Rural	
S94+					●	●	m	M	M		M	M		●	S		m		M	m	m	M		A	S94+ Transportation & Utility Corridor	
SWF					●	●												●							A	SWF Solid Waste Facility

**MATRIX LEGEND**

- Permitted
- A Permitted by Administrative Permit
- S Permitted by Site Plan
- m Permitted by Minor Use Permit
- M Permitted by Major Use Permit
- P Permitted Only Within Planned Developments of 20 Acres or Larger

- 1-22 Subject to Limitations (See Section 2980)
- \* May Be Subject to Site Plan Approval
- + Other Uses Not Shown on Matrix May Be Permitted (See Text of Use Regulations)
- O Subject to Limitations (See Sections 2812 and 2818)
- E Exceptions to Enclosure Matrix (See Section 6814)



**USE & ENCLOSURE MATRIX**

SUMMARY PREPARED PURSUANT TO SECTIONS 2990 AND 6816

NOTE: This matrix is a summary only. For complete regulations see appropriate sections of The Zoning Ordinance. In case of conflict between the provisions graphically represented in this matrix and the provisions set forth in the text of The Zoning Ordinance, the provisions of The Zoning Ordinance shall apply.

USE TYPES		COMMERCIAL		1400		1410		1415		1420		1425		1430		1435		1440		1445		1450		1455		1460		1465		1470		1475		1480		1485		1490		1495		1500		1505		1510		1515		1520		1525		1530		1535		1540		1545		1550		1555		1560		1565		1570		1575		1580		1585		1590		1595		1600		1605		1610		1615		1620		1625		1630		1635		1640		1645		1650		1655		1660		1665		1670		1675		1680		1685		1690		1695		1700		1705		1710		1715		1720		1725		1730		1735		1740		1745		1750		1755		1760		1765		1770		1775		1780		1785		1790		1795		1800		1805		1810		1815		1820		1825		1830		1835		1840		1845		1850		1855		1860		1865		1870		1875		1880		1885		1890		1895		1900		1905		1910		1915		1920		1925		1930		1935		1940		1945		1950		1955		1960		1965		1970		1975		1980		1985		1990		1995		2000		2005		2010		2015		2020		2025		2030		2035		2040		2045		2050		2055		2060		2065		2070		2075		2080		2085		2090		2095		2100		2105		2110		2115		2120		2125		2130		2135		2140		2145		2150		2155		2160		2165		2170		2175		2180		2185		2190		2195		2200		2205		2210		2215		2220		2225		2230		2235		2240		2245		2250		2255		2260		2265		2270		2275		2280		2285		2290		2295		2300		2305		2310		2315		2320		2325		2330		2335		2340		2345		2350		2355		2360		2365		2370		2375		2380		2385		2390		2395		2400		2405		2410		2415		2420		2425		2430		2435		2440		2445		2450		2455		2460		2465		2470		2475		2480		2485		2490		2495		2500		2505		2510		2515		2520		2525		2530		2535		2540		2545		2550		2555		2560		2565		2570		2575		2580		2585		2590		2595		2600		2605		2610		2615		2620		2625		2630		2635		2640		2645		2650		2655		2660		2665		2670		2675		2680		2685		2690		2695		2700		2705		2710		2715		2720		2725		2730		2735		2740		2745		2750		2755		2760		2765		2770		2775		2780		2785		2790		2795		2800		2805		2810		2815		2820		2825		2830		2835		2840		2845		2850		2855		2860		2865		2870		2875		2880		2885		2890		2895		2900		2905		2910		2915		2920		2925		2930		2935		2940		2945		2950		2955		2960		2965		2970		2975		2980		2985		2990		2995		3000		3005		3010		3015		3020		3025		3030		3035		3040		3045		3050		3055		3060		3065		3070		3075		3080		3085		3090		3095		3100		3105		3110		3115		3120		3125		3130		3135		3140		3145		3150		3155		3160		3165		3170		3175		3180		3185		3190		3195		3200		3205		3210		3215		3220		3225		3230		3235		3240		3245		3250		3255		3260		3265		3270		3275		3280		3285		3290		3295		3300		3305		3310		3315		3320		3325		3330		3335		3340		3345		3350		3355		3360		3365		3370		3375		3380		3385		3390		3395		3400		3405		3410		3415		3420		3425		3430		3435		3440		3445		3450		3455		3460		3465		3470		3475		3480		3485		3490		3495		3500		3505		3510		3515		3520		3525		3530		3535		3540		3545		3550		3555		3560		3565		3570		3575		3580		3585		3590		3595		3600		3605		3610		3615		3620		3625		3630		3635		3640		3645		3650		3655		3660		3665		3670		3675		3680		3685		3690		3695		3700		3705		3710		3715		3720		3725		3730		3735		3740		3745		3750		3755		3760		3765		3770		3775		3780		3785		3790		3795		3800		3805		3810		3815		3820		3825		3830		3835		3840		3845		3850		3855		3860		3865		3870		3875		3880		3885		3890		3895		3900		3905		3910		3915		3920		3925		3930		3935		3940		3945		3950		3955		3960		3965		3970		3975		3980		3985		3990		3995		4000		4005		4010		4015		4020		4025		4030		4035		4040		4045		4050		4055		4060		4065		4070		4075		4080		4085		4090		4095		4100		4105		4110		4115		4120		4125		4130		4135		4140		4145		4150		4155		4160		4165		4170		4175		4180		4185		4190		4195		4200		4205		4210		4215		4220		4225		4230		4235		4240		4245		4250		4255		4260		4265		4270		4275		4280		4285		4290		4295		4300		4305		4310		4315		4320		4325		4330		4335		4340		4345		4350		4355		4360		4365		4370		4375		4380		4385		4390		4395		4400		4405		4410		4415		4420		4425		4430		4435		4440		4445		4450		4455		4460		4465		4470		4475		4480		4485		4490		4495		4500		4505		4510		4515		4520		4525		4530		4535		4540		4545		4550		4555		4560		4565		4570		4575		4580		4585		4590		4595		4600		4605		4610		4615		4620		4625		4630		4635		4640		4645		4650		4655		4660		4665		4670		4675		4680		4685		4690		4695		4700		4705		4710		4715		4720		4725		4730		4735		4740		4745		4750		4755		4760		4765		4770		4775		4780		4785		4790		4795		4800		4805		4810		4815		4820		4825		4830		4835		4840		4845		4850		4855		4860		4865		4870		4875		4880		4885		4890		4895		4900		4905		4910		4915		4920		4925		4930		4935		4940		4945		4950		4955		4960		4965		4970		4975		4980		4985		4990		4995		5000		5005		5010		5015		5020		5025		5030		5035		5040		5045		5050		5055		5060		5065		5070		5075		5080		5085		5090		5095		5100		5105		5110		5115		5120		5125		5130		5135		5140		5145		5150		5155		5160		5165		5170		5175		5180		5185		5190		5195		5200		5205		5210		5215		5220		5225		5230		5235		5240		5245		5250		5255		5260	
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**USE & ENCLOSURE MATRIX**

SUMMARY PREPARED PURSUANT TO SECTIONS 2990 AND 6816

NOTE: This matrix is a summary only. For complete regulations see appropriate sections of The Zoning Ordinance. In case of conflict between the provisions graphically represented in this matrix and the provisions set forth in the text of The Zoning Ordinance, the provisions of The Zoning Ordinance shall apply.

USE TYPES COMMERCIAL (cont.)		Enclosed Semi-Enclosed Open Drive-in Building Maintenance Services Business Equipment Sales and Services Business Support Services Communications Services Construction Sales and Services Convenience Sales and Services (See Sec. 6300) Cottage Industries (See Sec. 6320) Eating and Drinking Establishments Explosive Storage (See Sec. 6304) Financial, Insurance and Real Estate Food and Beverage Retail Sales <sup>E</sup> Funeral and Intermment Services: a) Cremating b) Interment c) Undertaking <sup>E</sup> Gasoline Sales <sup>E</sup> Laundry Services Medical Services															Commercial continued on next page			
		1400	1435	1440	1445	1450	1455	1460	1463	1465	1470	1475	1480	1485	1490	1495	1500	Use Regulations		
See Section 6816																		<b>RESIDENTIAL</b>		
RS						P		P		P	P	P					P	RS Single-Family Residential		
RD						P		P		P	P	P					P	RD Duplex/Two-Family Residential		
RM						P		P		P	P	P					P	RM Multi-Family Residential		
RV						P		P		P	P	P					P	RV Variable Family Residential		
RU						P		P		P	P	P					P	RU Urban Residential		
RMH						P		P		P	P	P					P	RMH Mobilehome Residential		
RR	●	●	●						17									RR Rural Residential		
RRO*	●	●	●			P		M		M		P	M				P	RRO* Recreation-Oriented Residential		
RC	●	m	m			P	P	m		m		11	m			P	4	RC Residential-Commercial		
																		<b>COMMERCIAL</b>		
C30	●			m			●	m	10	10		●	10			M	●	C30 Office-Professional		
C31	●			m			●	m	10	10		●	10			M	●	C31 Residential/Office Professional		
C32	●			m												M		C32 Convenience Commercial		
C34*	●	m	M	m	7	●	●	8	●			●	●		M	M	12	13	C34* Gen. Commercial/Residential	
C35	●	m	M	m	7	●	●	8	●			●	●		M	M	12	13	C35 Gen. Comm./Ltd. Residential	
C36	●	m	M	●	7	●	●	8	●			●	●		M	M	12	13	C36 General Commercial	
C37	●	●	●	●	●	●	●	●	●			●	●		M	M	●	●	C37 Heavy Commercial	
C38	●	●	●	●	●	●	●	●	m		m		10		M		●	●	C38 Service Commercial	
C40	●	●	●	●	●	●	●	9	●			●	●		M	M	●	●	C40 Rural Commercial	
C42*	●	●	●	●		20			●			20					M		C42* Visitor Serving Commercial	
C44	●	●	●	●												12			C44 Freeway Commercial	
C46*	●								10	10		10						●	C46* Medical Center	
																			<b>INDUSTRIAL</b>	
M50	●	m	M	m					m	m		m							M50 Basic Industrial	
M52	●	m	M	m	8	●	●	●	8	m		m		10		M		12	●	M52 Limited Impact Industrial
M54	●	●	●	●	●	●	●	●	m		m	M	10		M			●	●	M54 General Impact Industrial
M56+	●				●				●			10		10						M56+ Mixed Industrial
M58	●	●	●	●	●	●	●	●	m		m	M	10		M			●	●	M58 High Impact Industrial
																				<b>AGRICULTURAL</b>
A70	●	●	●							17		M								A70 Limited Agriculture
A72	●	●	●							17		M					M			A72 General Agriculture
																				<b>SPECIAL PURPOSE</b>
S80*	●	S	M									M								S80* Open Space
S81																				S81 Ecological Resource Area
S82	●	●	●									M								S82 Extractive
S86	●	●	●	●																S86 Parking
S88+	●	●	●	●	●															S88+ Specific Plan Area
S90+	●	●	●	●						17		M								S90+ Holding Area
S92	●	●	●	●						17		M								S92 General Rural
S94+	●	●	●	●																S94+ Transportation & Utility Corridor
SWF																				SWF Solid Waste Facility

**MATRIX  
LEGEND**

- Permitted
- A Permitted by Administrative Permit
- S Permitted by Site Plan
- m Permitted by Minor Use Permit
- M Permitted by Major Use Permit
- P Permitted Only Within Planned Developments of 20 Acres or Larger

- 1-22 Subject to Limitations (See Section 2980)
- \* May Be Subject to Site Plan Approval
- + Other Uses Not Shown on Matrix May be Permitted (See Text of Use Regulations)
- O Subject to Limitations (See Sections 2812 and 2818)
- E Exceptions to Enclosure Matrix (See Section 6814)

Commercial continued on  
next page



**USE & ENCLOSURE MATRIX**

SUMMARY PREPARED PURSUANT TO SECTIONS 2990 AND 6816

NOTE: This matrix is a summary only. For complete regulations see appropriate sections of The Zoning Ordinance. In case of conflict between the provisions graphically represented in this matrix and the provisions set forth in the text of The Zoning Ordinance, the provisions of The Zoning Ordinance shall apply.

USE TYPES COMMERCIAL (cont.)														Use Regulations													
Enclosed Sem-Enclosed Open Drive-In Participant Sports and Recreation a) Indoor b) Outdoor Personal Services [General] Recycling Collection Facility (See Sec. 6970) a) Small b) Large Recycling Processing Facility (See Sec. 6975) a) Light b) Heavy c) Wood and Green Materials Repair and Green Materials Research Services [Consumer] Retail Sales a) General b) Specialty Scrap Operations (See Section 6300) Spectator Sports and Entertainment a) Limited b) General Swap Meets																											
1400	See Section 6816			1505				1510	1512		1513				1515	1520	1525		1530	1535			1540				
RS						P	P	P	2									P	P		P						
RD						P	P	P	2									P	P		P						
RM						P	P	P	2									P	P		P						
RV						P	P	P	2									P	P		P						
RU						P	P	P	2									P	P		P						
RMH						P	P	P	2									P	P		P						
RR	●	●	●				M		2																		
RRO*	●	●	●			P	M	P	2									P	P		P						
RC	●	m	m			P	P	P	2									m	m		P						
<b>RESIDENTIAL</b>																											
RS																											
RD																											
RM																											
RV																											
RU																											
RMH																											
RR																											
RRO*																											
RC																											
<b>COMMERCIAL</b>																											
C30	●			m				●	2	2		3	M			M											
C31	●			m				●	2	2		3	M			M											
C32	●			m		m			2	2		3	M														
C34*	●	m	M	m		m		●	2	2		3	M		●	M		●	●		M	M					
C35	●	m	M	m		m		●	2	2		3	M		●	M		●	●		M	M					
C36	●	m	M	●		●		●	2	2		3	M		●	M		●	●		●	M					
C37	●	●	●	●		●		●	2	2		3	3	15	●	●		●	●		●	●	M				
C38	●	●	●	●		M			2	2		3	3	15	●	●				M		●	M				
C40	●	●	●	●		●		●	2	2		3	3	15	●	●		●	●	M		●	M				
C42*	●	●	●	●		●	●											●			M	M					
C44	●	●	●	●					2			3	M														
C46*	●								2			3	M														
<b>INDUSTRIAL</b>																											
M50	●	m	M	m					2	2		3	M	●		●											
M52	●	m	M	m		●	M		2	2		3	M	●		●											
M54	●	●	●	●		●	M		2	2		3	3	●		●				M			M				
M56+	●	●	●	●					2	2		3	M	●		●											
M58	●	●	●	●		●	M		2	2		3	3	●		●				M			M				
<b>AGRICULTURAL</b>																											
A70	●	●	●			M			A				m														
A72	●	●	●			M			A				m														
<b>SPECIAL PURPOSE</b>																											
S80*	●	S	M			M			2	m			m														
S81	●	●	●																								
S82	●	●	●			M			2	m			m						M								
S86	●	●	●						2	m			m														
S88+	●	●	●						2	m			m														
S90+	●	●	●			M			2	m			m														
S92	●	●	●			M			2	m			m														
S94+	●	●	●			M			2	m			m														
SWF	●	●	●																								

Commercial continued on next page

**MATRIX LEGEND**

- Permitted
- A Permitted by Administrative Permit
- S Permitted by Site Plan
- m Permitted by Minor Use Permit
- M Permitted by Major Use Permit
- P Permitted Only Within Planned Developments of 20 Acres or Larger

- 1-22 Subject to Limitations (See Section 2980)
- \* May Be Subject to Site Plan Approval
- + Other Uses Not Shown on Matrix May be Permitted (See Text of Use Regulations)
- O Subject to Limitations (See Sections 2812 and 2818)
- E Exceptions to Enclosure Matrix (See Section 6814)



## SUMMARY PREPARED PURSUANT TO SECTIONS 2990 AND 6816

USE TYPES	COMMERCIAL (cont.)
Enclosed	
Semi-Enclosed	
Open	
Drive-In	
Transient	
Other	

## MATRIX LEGEND

- 1-22 Subject to Limitations (See Section 2980)  
 \* May Be Subject to Site Plan Approval  
 + Other Uses Not Shown on Matrix May Be Permitted  
 (See Text of Use Regulations)  
 O Subject to Limitations (See Sections 2812 and 2818)  
 E Exceptions to Enclosure Matrix (See Section 6814)



**USE & ENCLOSURE MATRIX**

SUMMARY PREPARED PURSUANT TO SECTIONS 2990 AND 6816

NOTE: This matrix is a summary only. For complete regulations see appropriate sections of The Zoning Ordinance. In case of conflict between the provisions graphically represented in this matrix and the provisions set forth in the text of The Zoning Ordinance, the provisions of The Zoning Ordinance shall apply.

USE TYPES		AGRICULTURAL																EXTRACTIVE				Use Regulations								
		Enclosed Semi-Enclosed	Open	Horticulture (a) Cultivation	(b) Storage	Tree Crops	Row & Field Crops	Animal Raising	Animal Waste Processing (see Section 6902)	a) Limited	b) General	c) Support	d) Winery	e) Small Winery (see Section 6910)	f) Boutique Winery (see Section 6910)	g) Wholesale Limited Winery (see Section 6910)	Agricultural Equipment Storage	Farm Labor Camp	Mining and Processing (See Section 6550)	Site Preparation (See Section 6550)										
1700	See Section 6816	1710	1715	1720	1725	1730	1735	1740	1750	1800	1810	1820																		
													RESIDENTIAL																	
RS	m	m	●	●	●	16						M	RS	Single-Family Residential																
RD	m	m	●	●	●	16						M	RD	Duplex/Two-Family Residential																
RM	m	m	●	●	●	16						M	RM	Multi-Family Residential																
RV	m	m	●	●	●	16						M	RV	Variable Family Residential																
RU	m	m	●	●	●	16						M	RU	Urban Residential																
RMH	m	m	●	●	●	16						M	RMH	Mobilehome Residential																
RR	●	●	●	●	●	16			M			M	RR	Rural Residential																
RRO*	m	m	●	●	●	16			M			M	RRO*	Recreation-Oriented Residential																
RC	m	m	●	●	●	16						M	RC	Residential-Commercial																
													COMMERCIAL																	
C30						16						M	C30	Office-Professional																
C31						16						M	C31	Residential/Office Professional																
C32	A	A	●	●	m	●	16					M	C32	Convenience Commercial																
C34*	A	A	●	●	●	16						M	C34*	Gen. Commercial/Residential																
C35	A	A	●	●	●	16						M	C35	Gen. Comm./Ltd. Residential																
C36	A	A	●	●	●	16						M	C36	General Commercial																
C37	A	A	●	●	●	16						M	C37	Heavy Commercial																
C38	A	A	●	●	●	16						M	C38	Service Commercial																
C40	A	A	●	●	●	16						M	C40	Rural Commercial																
C42*	A	A	●	●	●	16						M	C42*	Visitor Serving Commercial																
C44	A	A	●	●	●	16						M	C44	Freeway Commercial																
C46*	A	A	●	●	●	16						M	C46*	Medical Center																
													INDUSTRIAL																	
M50	A	A	●	●	●	16			●	●		●	M	M50	Basic Industrial															
M52	A	A	●	●	●	16			●	●		●	M	M52	Limited Impact Industrial															
M54	A	A	●	●	●	16			●	●		●	M	M54	General Impact Industrial															
M56+									●	●		●		M56+	Mixed Industrial															
M58	A	A	●	●	●	16	M		●	●		●	M	M58	High Impact Industrial															
													AGRICULTURAL																	
A70	●	●	●	●	●	16			●	M	M	M	22	22	22	M	m		M	A70	Limited Agriculture									
A72	●	●	●	●	●	16	M		●	M	M	M	22	22	22	M	m		M	A72	General Agriculture									
													SPECIAL PURPOSE																	
S80*	A	A	●	●	●	16			●							m		M	S80*	Open Space										
S81						M												M	S81	Ecological Resource Area										
S82	●	●	●	●	●	16												M	S82	Extractive										
S86																		M	S86	Parking										
S88+	●	●	●	●	●	16			●	M	M	M				m		M	S88+	Specific Plan Area										
S90+	●	●	●	●	●	16			●							m		M	S90+	Holding Area										
S92	●	●	●	●	●	16	M		●	M	M	M				m		M	S92	General Rural										
S94+	●	●	●	●	●	16												M	S94+	Transportation & Utility Corridor										
SWF																			SWF	Solid Waste Facility										

**MATRIX LEGEND**

- Permitted
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- S Permitted by Site Plan
- m Permitted by Minor Use Permit
- M Permitted by Major Use Permit
- P Permitted Only Within Planned Developments of 20 Acres or Larger

- 1-22 Subject to Limitations (See Section 2980)
- \* May Be Subject to Site Plan Approval
- + Other Uses Not Shown on Matrix May be Permitted (See Text of Use Regulations)
- O Subject to Limitations (See Sections 2812 and 2818)
- E Exceptions to Enclosure Matrix (See Section 6814)





## 3100 ANIMAL SCHEDULE.

Animal designators used within the Animal Regulations shall be limited to those in the following Animal Schedule. The Animal Schedule is incorporated into this section, and all references to this section shall include references to it.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)  
(Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)  
(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)  
(Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)  
(Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)  
(Repealed and Reenacted by Ord. No. 8166 (N.S.) adopted 10-21-92)  
(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)  
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)  
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)  
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

# Animal Schedule

(Part of Section 3100)

ANIMAL USE TYPE (See Note 4)		Restrictions and Density Range	DESIGNATOR																									
			A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X		
ANIMAL SALES AND SERVICES: HORSE STABLES																												
(a) Boarding or Breeding	Permitted							X	X	X							X									X	X	
	MUP required										X		X	X	X								X	X				
	ZAP required				X	X	X																					
(b) Public Stable	Permitted																X									X		
	MUP required				X	X	X				X		X	X	X								X	X		X		
	ZAP required							X	X	X																		
ANIMAL SALES AND SERVICES: KENNELS (see Note 1)	Permitted																X			X		X						
	Permitted provided fully enclosed							X	X	X																		
	MUP required												X	X	X									X	X			
	ZAP required				X	X	X	X	X	X																		
	One acre + by MUP	X	X	X																								
ANIMAL RAISING (see Note 6)																												
(a) Animal Raising Projects (see Section 3115)	Permitted							X	X	X																X		
	½ acre+ by ZAP				X	X	X				X		X	X	X	X	X							X	X			
	1 acre+ by MUP	X	X	X																								
(b) Small Animal Raising (includes Poultry) (see Note 8)	Permitted												X	X	X	X									X			
	½ acre+ permitted							X	X	X																		
	100 maximum											X																
	25 maximum				X	X	X				X		X					X	X					X		X		
	½ acre+: 10 max	X	X	X																								
	Less than ½ acre: 100 Maximum							X	X	X																		
	½ acre+ 25 max by ZAP	X	X	X																								
	100 max by ZAP				X	X	X																			X		
	MUP required												X															
(c) Large Animal Raising (Other than horsekeeping)	4 acres + permitted																X								X			
	8 acres + permitted							X	X	X																		
	2 animals plus 1 per ½ acre over 1 acre				X	X	X																			X		
	4 animals plus 4 for each ½ acre over ½ acre							X	X	X																		
	1 ½ acres or less: 2 animals											X	X	X	X	X									X			
	1 ½ to 4 acres: 1 per ½ acre											X	X	X	X	X									X			
	4 acres+, 8 animals + 1 animal per 1 acre over 4 acres											X	X	X	X													

ANIMAL USE TYPE (See Note 4)	Restrictions and Density Range	DESIGNATOR																									
		A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X		
(See Note 2)	2 animals										X						X	X	X				X		X		
	4 acres plus by MUP											X			X												
	½ acre plus 2 animals per ½ acre by ZAP	X	X	X																					X		
	Grazing Only																				X	X					
(d) Horse keeping (other than Animal Sales and Services: Horse Stables)	Permitted							X	X	X	X	X	X	X	X	X	X	X				X	X	X	X		
	2 horses + 1 per ½ acre over 1 acre				X	X	X																				
	ZAP required				X	X	X																				
	½ acre plus by ZAP	X	X	X																							
(e) Specialty Animal Raising: Bees (See Title 6, Division 2, Chapter 9, County Code) (See Note 7)	Permitted				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	ZAP Required	X	X	X																							
(f) Specialty Animal Raising: Wild or Undomesticated (See Note 3)	ZAP Required				X	X	X	X	X	X			X	X	X	X	X			X	X	X		X			
(g) Specialty Animal Raising: Other (Excluding Birds)	25 maximum				X	X	X				X	X	X				X	X	X	X	X		X		X		
	25 maximum by ZAP	X	X	X																							
	25 plus by ZAP				X	X	X				X	X	X	X			X			X	X	X	X		X		
	Permitted							X	X	X					X	X								X			
(h) Specialty Animal Raising: Birds	25 maximum				X	X	X						X					X	X	X	X	X					
	100 maximum							X	X	X	X	X					X						X				
	Additional by ZAP	X	X	X				X	X	X	X	X	X				X					X	X				
	Permitted													X	X	X								X	X		
(i) Racing Pigeons	100 Maximum										X	X											X				
	100 Max 1/acre plus																	X									
	Permitted												X	X	X	X	X							X	X		
ANIMAL ENCLOSURE SETBACKS (See Section 3112)																											
Most Restrictive		X			X			X			X	X	X	X	X	X	X	X	X	X	X	X	X	X			
Moderate			X			X			X																		
Least Restrictive				X			X			X															X		

MUP = Major Use Permit

+ = plus

ZAP = Minor Use Permit

#### Notes:

1. Dogs and cats not constituting a kennel and up to two pot-belly pigs are accessory uses subject to the Accessory Use Regulations commencing at Section 6150 and are not subject to the animal enclosure setbacks.
2. On land subject to the "S" and "T" Animal Designators, grazing of horses, bovine animals and sheep permitted provided no buildings, structure, pen or corral shall be designated or used for housing or concentrated feeding of animals, and the number of such animals shall not exceed 1 animal per ½ acre of land.
3. One wild or undomesticated animal, kept or maintained in conformance with State and local requirements, is an accessory use subject to the Accessory Use Regulations commencing at Section 6150, and is not subject to the Animal Schedule. (Amended by Ordinance Number 7432 (N.S.) adopted January 6, 1988.)
4. The Animal Schedule does not apply to small animals, specialty animals, dogs or cats which are kept for sale in zones where the Retail Sales, General Use type is permitted provided that all activities are conducted entirely within an enclosed building, the building is completely soundproof, there are no outside runs or cages, no boarding of animals, no outside trash containers and no offensive odors.
5. Chinchillas are considered small animals except that a MUP may be approved for more than 25 chinchillas on property with the "L" Designator.
6. The number of animals allowed is per legal lot. This number shall not apply to the keeping of earthworms.
7. Beekeeping must be located at least 600 feet from any habitable dwelling unit, other than such dwelling unit owned by the person owning the apiary.
8. Additional regulations are applicable to the keeping of roosters, see County Code Section 62.690 et seq.

## 3112 ANIMAL ENCLOSURE SETBACK TABLE.

Notwithstanding the provisions of an applicable setback designator, enclosures containing the animal-related use types listed in Section 3110 shall have the minimum setbacks specified in the Animal Enclosure Setback Table. The Animal Enclosure Setback Table is incorporated into this section, and all references to this section shall include references to it. Animals subject to the Animal Setback Table must be confined within the appropriate enclosure.

ANIMAL ENCLOSURE LOCATION	ANIMAL ENCLOSURE SETBACKS (a)		
	MOST RESTRICTIVE (b)	MODERATE (b)	LEAST RESTRICTIVE (b)
Distance from Street Center Line	Same as for main building(c)	Same as for main building	Zero (0) feet (from street line)
Distance from Interior Side Lot Line	15 feet	Five (5) feet	Zero (0) feet for open enclosure. Five (5) feet for roofed enclosure.
Distance from Rear Lot Line	10 feet	Zero (0) feet for open enclosure. Five (5) feet for roofed enclosure.	Zero (0) feet

## NOTES:

- a. Animal enclosure includes pens, coops, aviaries, hutches, stables, barns, corrals, and similar structures used for the keeping of poultry or animals. See County Code Section 62.692 (b) for additional enclosure setback requirements for the keeping of roosters.
- b. A fenced pasture containing a minimum of 2 acres, with no building used for human habitation and having no interior cross-fencing, is exempt from the animal enclosure setback requirements.
- c. Refer to applicable setback designator and setback schedule at Section 4810.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
 (Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)  
 (Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)  
 (Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)  
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

## 3114 KENNELS.

In addition to the regulations contained in the Animal Enclosure Setback Table, Section 3112, all kennels shall be subject to the following regulations:

## 1. Restrictions On Use:

- a. The premises shall be kept in a clean and sanitary manner by the daily removal of waste and by the use of spray and disinfectants to prevent the accumulation of flies, the spread of disease or offensive odor.
- b. Kennels shall conform to all the regulations contained in the County Code related to kennels, including but not limited to Noise Abatement and Control, Animal Control and Permit Fees and Procedures.
- c. Animal odors shall not be detectable beyond the lot lines of the property wherein the kennel is located.
- d. Dust and drainage from the kennel enclosure shall not create a nuisance or a hazard to adjoining property or uses.
- e. The kennel enclosure shall be screened by a nontransparent fence of a minimum six feet in height.
- f. Grooming services for the animals being boarded may be allowed as an incidental use provided the grooming services are conducted indoors and the grooming area is limited to 500 square feet in area.

## 2. Additional Setback Requirements:

- a. Notwithstanding the provisions of Section 3112 of this Ordinance, no kennel located on property with Animal Schedule Designators (see Section 3100) "L", "M", "N", "V", "W" shall be erected and maintained:
  1. Within 50 feet of any interior side lot line.
  2. Within 25 feet of any rear lot line; provided, however, where the rear lot line is parallel with and contiguous to an alley, such structures may be erected, placed or maintained up to such rear lot line.
- b. A kennel located on property with the Animal Schedule Designators (see Section 3100) "O", "R", and "T" shall comply with the provisions of Section 3112; provided, however, that where a kennel in said designator abuts a residential use regulation, setbacks shall be maintained in accordance with subsection 2a.1 and 2a.2 above.

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

3115 ANIMAL RAISING PROJECTS.

In addition to the regulations imposed by Section 3112, animal raising projects shall be subject to the following regulations:

- a. Limits. Such project is limited to the keeping, raising and breeding of domesticated animals for 4-H, FFA or other similar youth organization projects. Animal raising projects are a permitted use (by-right) provided the total number and the type(s) of animals on the premises are allowed by the applicable zone animal designator.
- b. Minor Use Permit. If the total number of animals on the premises would exceed the number allowed by the zone animal designator a Minor Use Permit shall be obtained to permit the animal raising project as provided in the Animal Schedule in Section 3100 (or a waiver may be obtained pursuant to subsection e. below). The use permit application fee is waived pursuant to Section 7602 d.2.
- c. Under Auspices of Youth Organizations. The keeping of said animals shall be in connection with animal raising projects under auspices of 4-H, FFA or other similar youth organizations.
- d. Other Conditions. A Minor Use Permit for an animal raising project may impose other conditions pertaining to the type, number, and locations of animals as are reasonable and necessary for the protection of the public health and welfare and for the protection of the health and welfare of the animals. A use permit time limit may also be imposed.
- e. Waiver of Minor Use Permit. The Director of Planning and Land Use may waive the requirement for a Minor Use Permit for animal raising projects upon submittal of written consent to the granting of the waiver. Such consent shall be signed by all owners of each developed lot or parcel that is wholly or in part within a 300 foot radius of the perimeter of the property where the animal raising project is to be conducted. Such consent and any other material required, including plot plan and the number and types of animals, shall be on the forms or in the format required by the Department of Planning and Land Use. The waiver may be granted for a period not to exceed five years and may be revoked by the Director if the animal raising project does not comply with the requirements specified in the granting of the waiver or is in violation of any applicable County ordinances. At the end of five years an additional waiver may be applied for.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 7466 (N.S.) adopted 4-27-88)

(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)

## FLOOR-AREA RATIO REGULATIONS

### 4500 TITLE AND PURPOSE.

The provisions of Section 4500 through Section 4599, inclusive, shall be known as the Floor-Area Ratio Regulations. The purpose of these provisions is to allow flexibility within the Development Regulations to identify structural sizes most appropriate to the various geographic settings and special local policies of San Diego County by establishing the maximum floor-area ratio to which structures may be constructed.

### 4502 APPLICABILITY OF FLOOR-AREA RATIO.

The floor-area ratio shall incorporate all buildings on the lot or building site.

### 4505 FLOOR-AREA RATIO DESIGNATOR NOTATION.

Floor-area ratio shall be indicated by an Arabic numeral indicating the actual maximum permitted floor-area ratio. A dash ("-") shall indicate that floor-area ratio is not regulated by this ordinance except as may otherwise be limited by required setbacks and height restrictions. However, a floor-area ratio pursuant to the Land Use Element of the General Plan may be applicable to a property.

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

### 4510 FLOOR-AREA RATIO PERMITTED.

Floor-area ratios shall be established to regulate the scale of development and any such ratio may be specified within the Development Regulations.





#### 4615 ADDITIONAL STORY PERMITTED.

- a. Where the average slope of a lot is greater than one foot rise or fall in 7 feet in the area of the lot bounded by a line drawn 5 feet outside the building perimeter or, where closer, along property lines, an additional story may be permitted in a residential building which is located on the downhill side of a street, provided that in no case shall such a building have a height measured in feet greater than that permitted by the applicable height designator. Basements or cellars within such buildings will only be permitted if the grade elevation at all points adjacent to the basement perimeter is not more than 2 feet below the finished floor elevation directly above. This subsection (a) shall not apply to through lots or corner lots.
- b. An additional story may be permitted in a main dwelling with a primary residential use upon issuance of an Administrative Permit, provided that in no case shall the main dwelling have a height measured in feet greater than that permitted by the applicable height designator. The Administrative Permit Procedure at Section 7050 through Section 7099 shall apply. Notice of the administrative permit application shall be provided pursuant to Section 7060.c. The Director may approve said administrative permit provided the following findings are made:
  1. The additional story will be in harmony with scale and bulk of dwellings on adjacent properties in the same zone, and will be compatible with the existing neighborhood character in the vicinity of the property; and
  2. The additional story will not create a safety hazard, obstruct, interrupt or detract from existing views or be detrimental to surrounding properties in the same zone.

This subsection (b) shall not apply to basements proposed or existing within the main dwelling as basements are not considered a story.

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)  
 (Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)  
 (Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)  
 (Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)  
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 4620 PERMITTED EXEMPTIONS FROM HEIGHT LIMITS.

The following structures shall be exempt from the maximum height provisions of an applicable height designator:

- a. Radio and television receiving antennas no more than 200 feet in height of the type customarily used for home radio and television receivers.
- b. Transmitting antennas no more than 200 feet in height used by licensed amateur (ham) or citizens band radio operators.
- c. Flagpoles no more than 50 feet in height; provided, however, that flagpoles used as signs or attention-attracting devices shall be subject to the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.

- d. Signs no more than 50 feet in height except as otherwise limited by the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.
- e. Grain elevators, silos and water tanks functionally used for commercial agriculture, boarding and breeding stables or public stables which are located in agricultural zones or S92 Use Regulations; provided that no such structure shall be more than 50 feet in height.
- f. Chimneys no more than 100 feet in height located in industrial zones; and all other chimneys extending no more than 3 feet above the highest point on the roof of the building to which they are attached.
- g. Any structure for which a Major Use Permit is granted pursuant to other provisions of this ordinance, when the Major Use Permit authorizes an exemption to the height regulations.
- h. Any structure used primarily to contain or support an Essential Services or Fire Protection Services use.
- i. A Photovoltaic Solar Energy System extending not more than 5 feet above the highest point of the roof.
- j. Wind turbines, windmills, wind-driven water pumps and appurtenant structures required for the function thereof.
- k. Meteorological Testing (MET) Facility of less than 200 feet in height permitted in accordance with Section 6123.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
 (Amended by Ord. No. 5574 (N.S.) adopted 8-1-79)  
 (Amended by Ord. No. 6091 (N.S.) adopted 7-1-81)  
 (Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)  
 (Amended by Ord. No. 6857 (N.S.) adopted 10-10-84. Opr. 1-1-85)  
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)  
 (Amended by Ord. No. 9971 (N.S.) adopted 02-25-09)  
 (Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)  
 (Amended by Ord. No. 10072 (N.S.) adopted 9-15-10)  
 (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

#### 4622 EXCEPTIONS TO HEIGHT LIMITS WITH MINOR USE PERMIT.

Except as otherwise provided by Section 4620, the following structures may be erected and maintained above the maximum height permitted by an applicable height designator upon the issuance of a minor use permit therefore; provided, however, no such structure above such height limit shall be used for sleeping or eating quarters or for any commercial purpose other than such as may be incidental to the permitted uses of the main building:

- a. Radio and television receiving antennas greater than 200 feet in height of the type customarily used for home radio and television receivers.

- b. Transmitting antennas greater than 200 feet in height used by licensed amateur (ham) radio operators; and all transmitting antennas used by other than licensed amateur (ham) or citizens band radio operators
- c. Flagpoles greater than 50 feet in height; provided, however, that flagpoles used as signs or attention-attracting devices shall be subject to the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.
- d. Signs greater than 50 feet in height except as otherwise limited by the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.
- e. Provided the principle use of the property is commercial agriculture, a boarding and breeding stable or a public stable, grain elevators, silos and water tanks greater than 50 feet in height, and barns and all other structures greater than the permitted height limit of the zone, functionally used for commercial agriculture, a boarding and breeding stable or a public stable, which are located in agricultural zones or S92 Use Regulations; grain elevators, silos, and water tanks not located in agricultural zones or S92 Use Regulations, functionally used for commercial agriculture, boarding and breeding stables or public stables.
- f. Chimneys greater than 100 feet in height located in industrial zones; and all other chimneys extending more than 3 feet above the highest point on the roof of the building to which they are attached.
- g. Towers, gables, spires, steeples, sundecks, scenery lofts, cupolas, and similar structures and necessary mechanical appurtenances; provided, however, that no such structure may extend more than 20 feet above the maximum height specified by the applicable height designator if of combustible materials.
- h. Penthouse; provided, however, that no penthouse shall exceed 28 feet in height above the roof when used as an enclosure for tanks or for elevators which run to the roof and in all other cases shall not extend more than 12 feet in height above the roof; and further provided, however, that the aggregate area of all penthouses and other roof structures shall not exceed 33-1/3 percent of the area of the supporting roof.
- i. A Photovoltaic Solar Energy System.
- j. Wireless Telecommunications Facilities.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
 (Amended by Ord. No. 5574 (N.S.) adopted 8-1-79)  
 (Amended by Ord. No. 6091 (N.S.) adopted 7-1-81)  
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)  
 (Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)  
 (Amended by Ord. No. 10072 (N.S.) adopted 9-15-10)  
 (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

4630

**4630        HEIGHT OF FENCES.**

The height of fences shall be regulated by the Fencing and Screening Regulations commencing at Section 6700.

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

**4631        HEIGHT OF GUARD RAILINGS.**

The height of guard railings for safety protection around depressed ramps, openwork fences, hedges or landscape architectural features shall be regulated by the Setback Regulations at Section 4835.

SCENIC AREA REGULATIONS**5200 TITLE AND PURPOSE.**

The provisions of Section 5200 through 5299, inclusive be known as the Scenic Area Regulations. The purpose of these provisions is to regulate development in areas of high scenic value both to assure exclusion of incompatible uses and structures and to preserve and enhance the scenic resources present in adjacent areas. These regulations constitute recognition of important social, recreational, and economic values obtained from preservation and enhancement of the scenic qualities of County areas for the benefit of residents and visitors.

**5202 APPLICATION OF THE SCENIC AREA REGULATIONS.**

The Scenic Area Regulations shall be applied to areas of unique scenic value including but not limited to scenic highway corridors designated by the San Diego County General Plan, critical viewshed and prime viewshed areas as designated on the Local Coastal Program Land Use Plan, and to areas adjacent to significant recreational, historic or scenic resources, including but not limited to Federal and State parks.

(Amended by Ord. No. 6743 (N.S.) effective 1-11-85)

**5203 DESIGNATED AREA.**

The area having unique scenic value and any adjacent areas having significant recreational, historic or scenic resources shall be known as the designated area for purposes of these regulations.

**5204 LIMITATION ON USES.**

Notwithstanding the provisions of the applicable use regulations and Enclosure Matrix (Section 6816), all Use Regulations shall comply with the enclosure provisions of the Scenic Area Regulations.

**5205 SITE PLAN REQUIRED.**

No permit of any type shall be issued for any development, nor shall any outdoor commercial or industrial use be established, in areas subject to the Scenic Area Regulations until a Site Plan has been submitted and approved in accordance with the Site Plan Review Procedure commencing at Section 7150 unless a Site Plan permit exemption is granted pursuant to section 5214. The following projects are exempt from the Site Plan requirements of the Scenic Area Regulations:

- a. A one or two family dwelling on a single lot.
- b. Attached accessory structures associated with a. above.
- c. Detached accessory structures associated with a. above which are both 1,000 square feet or less in area and 12 feet or less in height.
- d. Alterations to the interior of a structure which are not visible from the outside provided that there is no change in use.

- e. Electrical, gas or other utility improvements where no associated discretionary permits are required, provided that any visible portion of such improvement does not exceed 24 inches in any dimension. The Director may require the applicant to submit an affidavit stating that the proposed utility improvement will not serve a use other than those uses presently occurring legally on the site.
- f. Temporary improvements associated with construction activities authorized by building permit. Said improvements shall include, but not be limited to, trailers, fences, and signs which do not require discretionary approval by other applicable sections of The Zoning Ordinance.
- g. Temporary special purpose off-premise signs pursuant to Section 6207.
- h. Exterior alteration or new construction not otherwise exempt under this section, which is not visible from any street, excluding alleys, within the designated scenic area. Eliminating said visibility through screening techniques such as landscape, walls, fences or grading shall not qualify such exterior alterations or new construction for this exemption. The Director shall determine if a project meets this exemption standard and may require any necessary information including drawings, photographs and/or other graphic exhibits.
- i. Small antennas (i.e., satellite earth station receiving antennas or similar antennas for video programming and television signals) exempted by Federal Communications Commission rules from local design review regulations. This exemption applies to antennas that are one meter (39 inches) or less in diameter or diagonal measurement. Such antennas mounted on masts exceeding 12 feet in height are not included in this exemption.

Any decision by the Director to exempt a project pursuant to this section shall be final.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
 (Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)  
 (Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)  
 (Amended by Ord. No. 8236 (N.S.) adopted 5-5-93)  
 (Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)  
 (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 5206 CONTENT OF SITE PLAN.

The required Site Plan shall include such maps, plans, drawings, and sketches as are necessary to show:

- a. View Points. An accurate representation of the development as viewed from at least 3 separated and critical points exterior to the development site and which show the treatment of the scenic resources present on the site as related to those resources which are adjacent to the site. The 3 exterior view points shall be proposed by the developer and approved by the Director prior to the preparation and submission of the Site Plan; however, in the area covered by the California Coastal Zone view points shall include

- h. Lighting. The interior and exterior lighting of the buildings and structures and the lighting of signs, roads and parking areas shall be compatible with the lighting employed in the designated area.

(Amended by Ord. No. 6743 (N.S.) effective 1-11-85)

(Amended by Ord. No. 7935 (N.S.) adopted 6-19-91)

#### 5212 NONCONFORMING USE.

Any development which was permitted by or conformed to the requirements of the Zoning Ordinance in effect prior to the effective date of this section and which has not been subject to a Site Plan review as provided by the Scenic Area Regulations, shall be considered to be a nonconforming use subject to the provisions of the Nonconforming Use Regulations commencing at Section 6850, until such plan review has been secured and an approval given.

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

#### 5214 SITE PLAN PERMIT EXEMPTION

An exemption from the requirement to process a Site Plan permit pursuant to this section may be granted by the Director under either of the following circumstances:

- a. If it is determined, based upon substantial evidence, that the proposed project is not visible from any scenic highway corridors designated by the San Diego County General Plan, critical viewshed and prime viewshed areas as designated on the Local Coastal Program Land Use Plan, and from any areas adjacent to significant recreational, historic or scenic resources, including but not limited to Federal and State parks and if it is determined that the Site Plan review process would not materially contribute to the attainment of the stated purpose or objectives of the Scenic Area Regulations to the subject property, or that all of the purposes and requirements of the Site Plan have been fulfilled by an existing approved discretionary permit. In making a decision on such a Site Plan permit exemption, the Director shall consider the recommendation of the applicable Community Planning Group or Sponsor Group. Site Plan permit exemption requests shall be transmitted by the Director to the Group using a form approved by the Director for that purpose. If no recommendation is received by the Director from the Group within 45 days following the Group's receipt of the request, the Director may make a decision without the Group's recommendation.
- b. If all of the purposes and requirements of the Site Plan will be fulfilled by a concurrent discretionary permit which will be reviewed by the applicable Community Planning Group or Sponsor Group.

No building permit or grading permit shall be issued for a project for which the Site Plan permit exemption has been granted except pursuant to plans bearing the Director's stamp granting such exemption. No deviation from aspects of such plans pertinent to the stated purpose or objectives of the Scenic Area Regulations to the subject property shall be permitted without prior recommendation of the appropriate Community Planning or Sponsor Group.

(Added by Ord. No. 10095 (N.S.) adopted 12-8-10)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)





## AIRPORT LAND USE COMPATIBILITY PLAN AREA REGULATIONS

(Added by Ord. No. 10162 (N.S.) adopted 8-3-11)

### 5250 TITLE AND PURPOSE.

The provisions of Section 5250 through Section 5270, inclusive, shall be known as the Airport Land Use Compatibility Plan Area Regulations. The purpose of these provisions is to regulate land uses within portions of the unincorporated territory of the County of San Diego located in Airport Influence Areas (AIAs) surrounding airports for which the San Diego County Regional Airport Authority (Authority) has adopted Airport Land Use Compatibility Plans (ALUCP or ALUCPs).

(Added by Ord. No. 10162 (N.S.) adopted 8-3-11)  
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

### 5252 APPLICATION OF AIRPORT LAND USE COMPATIBILITY PLAN DESIGNATOR.

The Airport Land Use Compatibility Plan Area Regulations shall be applied to properties located in unincorporated County territory with AIAs set forth in the ALUCPs adopted for the following airports: Agua Caliente Airport, Borrego Valley Airport, Brown Field, Fallbrook Community Airpark, Gillespie Field, Jacumba Airport, Montgomery Field, Oceanside Municipal Airport, Ocotillo Airport, McClellan-Palomar Airport, MCAS-Miramar, MCAS-Pendleton, Ramona Airport and San Diego International Airport.

(Added by Ord. No. 10162 (N.S.) adopted 8-3-11)

### 5254 USE OF AIRPORT LAND USE COMPATIBILITY PLANS

ALUCPs provide compatibility policies and criteria applicable to properties located within AIAs. New development, redevelopment, expansions, conversions and other uses of land located within the AIA of an adopted ALUCP for which County approval or permit are required shall be reviewed against the established criteria and policies of the ALUCP. Unless the property is already devoted to the proposed incompatible use or the ALUCP is overridden by the County in a manner which renders the use compatible with the ALUCP, the proposal, must comply with the established policies and criteria of the applicable ALUCP. ALUCPs are available at the Department of Planning and Land Use and from the Authority.

(Added by Ord. No. 10162 (N.S.) adopted 8-3-11)

### 5256 PROJECTS SUBJECT TO AUTHORITY REVIEW

Land use actions within the scope of California Public Utilities Code (PUC) Sections 21661.5, 21664.4, 21676(c), 21675.1 and 21676.5 or any successor or supplementing statutes thereto must be submitted to the Authority. The PUC currently requires Authority review for the following actions:

- (i) adoption or amendments to general and specific plans;
- (ii) adoption or amendment of zoning, building, and other land use ordinances and regulations within the AIA;
- (iii) adoption and amendment of Airport Master Plans;
- (iv) construction plans for new airports;

5256

- (v) any airport expansion plans (including the construction of a new runway, the extension or realignment of an existing runway, and the acquisition of Runway Protection Zones);
- (vi) all actions, regulations and permits when the Authority has not adopted an ALUCP for an airport; and
- (vii) all actions, regulations and permits when a local agency has not modified a general or specific plan to bring it into conformance with an adopted ALUCP or overruled the Authority in the manner required by PUC Section 21676.5.

The County may, in its discretion, require submittal of projects to the Authority for review when review is not required by the PUC.

(Added by Ord. No. 10162 (N.S.) adopted 8-3-11)

#### 5257 AIRPORT OVERFLIGHT NOTIFICATION REQUIREMENTS

All owners of properties within an Airport Overflight Notification Area, as shown on an adopted ALUCP, shall record an Overflight Agreement prior to issuance of a building permit for any new residential development, including new single-family dwellings, duplexes, multi-family dwellings and second dwelling units. Note: not all properties within an Airport Influence Area (AIA) are within an Airport Overflight Notification Area.

(Added by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 5258 OVERRIDING AIRPORT COMPATIBILITY PLANS

The County consistent with the PUC may overrule land use policies and criteria in the adopted ALUCPs that would otherwise be applicable to unincorporated territory over which the County retains land use authority by taking the following steps:

- (i) holding a public hearing;
- (ii) making specific findings that the proposed action is consistent with the requirements of the State Aeronautics Act, PUC Section 21670, et seq; and
- (iii) approval of the proposed action by a two-thirds vote of the County Board of Supervisors. (See, for example, PCC Section 21676 and 21676.5.)

(Added by Ord. No. 10162 (N.S.) adopted 8-3-11)

#### 5260 DEVELOPMENT OF LAND DEVOTED TO INCOMPATIBLE USE

Land devoted to an incompatible use prior to approval of an ALUCP may be used in accordance with this pre-existing use even if inconsistent with the ALUCP. To ascertain whether or not an incompatible use was established prior to the adoption of an ALUCP requires a careful review of the status of development entitlements, the scope and nature of development or redevelopment, and Authority policies which may be applicable to infill, reconstruction and other activities that may be deemed an existing incompatible use. Incompatible use determinations are fact sensitive and will be made on a case by case basis by the Director, Department of Planning and Land Use, with input from the Authority when required.

(Added by Ord. No. 10162 (N.S.) adopted 8-3-11)

- e. Limited clearing to provide access to property to perform activities that are listed in b through d above.
- f. Any essential public facility or project, or community recreational facility, which includes public use, when the authority considering an application listed at Article III, Section 1 above makes the following findings:
  - 1. The facility or project is consistent with adopted community or subregional plans;
  - 2. All possible mitigation measures have been incorporated into the facility or project, and there are no feasible, less environmentally damaging, location, alignment or non-structural alternatives that would meet project objectives;
  - 3. Where the facility or project encroaches into a wetland or floodplain, mitigation measures are required that result in any net gain in wetland and/or riparian habitat;
  - 4. Where the facility or project encroaches into steep slopes, native vegetation will be used to revegetate and landscape cut and fill areas; and
  - 5. No mature riparian woodland is destroyed or reduced in size.
- g. Any project for which a final subdivision map has been recorded or a major use permit has been approved where such map or permit bears the certification that all requirements of the Resource Protection Ordinance have been met.
- h. Any project for which the Director of Planning and Land Use has determined in writing that it can be seen with certainty that no environmentally sensitive lands exist on the property.
- i. Any ongoing, existing agricultural operations, such as cultivation, growing and harvesting of crops and animals performed on the site. Land left fallow for up to three years shall be considered to be existing agricultural operations.
- j. Any project for which the Board of Supervisors has determined that application of these special area regulations would result in the applicant being deprived of all reasonable economic use of property in violation of federal or state constitutional prohibitions against the taking of property without just compensation.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)  
 (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

5304

**5304                    CONTENT OF SITE PLAN**

The Site Plan shall include such maps, plans, drawings and sketches as are necessary to show:

- a.     The placement and size of all existing and proposed buildings and structures located on the development site;
- b.     The dimensions of the following: exterior boundary, structures, setbacks of structures to property lines and between structures, parking areas and driveways;
- c.     The existing vegetation to be removed or retained and all proposed landscaping. Any existing non-agricultural trees with trunk dimensions of six inches (6") or greater shall be shown, and those that are proposed to be removed shall be labeled;
- d.     The location and dimensions of existing and proposed ingress and egress points, interior road and pedestrian walkways, parking and storage areas, contiguous streets and all easements;
- e.     The location of the 100 year floodplain as shown on both Department of Public Works 100 year Floodplain Maps and FEMA Flood Insurance Rate Maps;
- f.     The location of any natural drainage (including intermittent streams) and any proposed drainage systems;
- g.     All preliminary grading, including incidental grading related to site preparation; and
- h.     The slope categories for the entire property in acres, based on a slope analysis prepared pursuant to Section 5305.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

**5305                    SLOPE ANALYSIS REQUIRED**

A slope analysis shall be required for each application for a Site Plan. This analysis shall be completed by a qualified person such as a registered or licensed architect, landscape architect, engineering geologist, land surveyor, or civil engineer based upon a topographic map using ten foot contour intervals or less. The slope analysis shall show the slope categories for the entire property in acres, using the following categories:

- (a)     less than 15% slope
- (b)     15% and greater up to 25% slope
- (c)     25% and greater up to 50% slope
- (d)     50% and greater slope

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

# 5306 FINDINGS REQUIRED

Prior to the approval of the Site Plan, the following findings shall be made:

- a. The site is physically suitable for the design and siting of the proposed development.
- b. The proposed development will result in minimum disturbance of environmentally sensitive lands.
- c. The proposed development conforms to the requirements contained in Section 5307.
- d. The proposed development is in conformance with the General Plan.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

# 5307 USE REGULATIONS AND DEVELOPMENT STANDARDS

In addition to any applicable use regulations, development standards and review criteria contained in The Zoning Ordinance or other County ordinances, the following regulations shall apply to development subject to the Sensitive Resource Area Regulations:

- a. Wetlands.
  - 1. Uses in wetlands shall be restricted to the following uses, not involving grading, filling, construction or placement of structures:
    - i. Aquaculture, provided that it does not harm the natural ecosystem.
    - ii. Scientific research, educational or recreational uses provided that they do not harm the natural ecosystem.
    - iii. Wetland restoration projects where the primary function is restoration of the habitat.
  - 2. Wetland Buffer:
 

A buffer area of an appropriate size to protect the environmental and habitat values of the wetland shall be maintained around all identified wetland areas. Maps and supplemental information submitted as part of the application shall be used to determine the specific boundaries of the wetland and buffer. The California Department of Fish and Game and the United States Fish and Wildlife Service shall be consulted in such buffer determinations.

In the wetland buffer areas, permitted uses shall be limited to:

- i. Access paths.
- ii. Other improvements necessary to protect adjacent wetlands.
- iii. All uses permitted in wetland areas.

b. Floodway. The development of permanent structures for human habitation or as a place of work shall not be permitted in a floodway.

1. In the floodway, permitted uses shall be limited to:

- i. Agricultural, recreational, and other such low intensity uses provided, however, that no use shall be permitted which will substantially harm the environmental values of a particular floodway area; and
- ii. Mineral extraction subject to an approved major use permit and reclamation plan, provided that mitigation measures were required which produce any net gain in functional wetlands and riparian habitat, and that the reclamation plan restores the site to its natural state, which would not create any increase in flood depths or velocities or changes in the boundary from those of the floodway prior to the mineral extraction.

2. Modifications to the floodway must meet all of the following criteria:

- i. Concrete or rip-rap flood control channels are allowed only where findings are made that completion of the channel is necessary to protect existing buildings from a current flooding problem. Buildings constructed after enactment of this ordinance shall not be the basis for permitting such channels.
- ii. Modification will not unduly accelerate the velocity of water so as to create a condition which would increase erosion (and related downstream sedimentation) or would be detrimental to the health and safety of persons or property or adversely affect wetlands or riparian habitat.

- iii. In high velocity streams where it is necessary to protect existing houses or other structures, minimize stream scour, or avoid increase in the transport of stream sediment to downstream wetlands and other environmentally sensitive habitat areas, grade control structures and other erosion control techniques, including the use of rip-rap, that are designed to be compatible with the environmental setting of the river may be permitted.
- c. Floodplain Fringe. All uses permitted by zoning and those that are allowable in the floodway are allowed in the floodplain fringe. Prior to granting a site plan required by this section for development, including permanent structures, grading, fill, deposit of soil or other material, or removal of natural vegetation within a 100-year floodplain fringe, all of the following criteria shall be met:
  - 1. Fill shall be limited to that necessary to elevate the structure above the elevation of the floodway and to permit minimal functional use of the structure (e.g., fill for access ramps and drainage). If fill is placed in the floodplain fringe, the new bank of the creek shall be landscaped to blend with the natural vegetation of the stream and enhance the natural edge of the stream.
  - 2. Any development below the elevation of the 100-year flood shall be capable of withstanding periodic flooding.
  - 3. The design of the development incorporates the findings and recommendations of a site-specific hydrologic study to assure that the development (a) will not cause significant adverse water quality impacts related to quality or quantity of flow or increase in peak flow to downstream wetlands, lagoons and other sensitive habitat lands; and (b) neither significantly increases nor contributes to downstream bank erosion and sedimentation of wetlands, lagoons, or other sensitive habitat lands.
  - 4. The proposed development shall be set back from the floodway boundary a distance equal to 15 percent of the floodway width (but not to exceed 100 feet) in order to leave an appropriate buffer area adjacent to the floodway. The setback may be greater if required by Paragraph 5.

Following review of a site-specific flood analysis, the floodplain setback required by this paragraph may be reduced by the Director of Planning and Land Use or the applicable hearing body, upon making all of the following findings:

- i. Practical difficulties, unnecessary hardship, or results inconsistent with the general purposes of this Ordinance would result from application of the setback; and

- ii. The reduction in setback will not increase flood-flows, siltation and/or erosion, or reduce long term protection of the floodway, to a greater extent than if the required setback were maintained; and
  - iii. The reduction in setback will not have the effect of granting a special privilege not shared by other property in the same vicinity; and
  - iv. The reduction in setback will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvement in the vicinity in which the property is located; and
  - v. The reduction in setback will not be incompatible with the San Diego County General Plan.
- 5. In areas where the Director of Public Works has determined that the potential for erosion or sedimentation in the floodplain is significant, all proposed development shall be set back from the floodway so that it is outside the Erosion/Sedimentation Hazard Area shown on County Floodplain Maps. Development will be allowed in the Erosion/Sedimentation Hazard Area only when the Director of Public Works approves a special study demonstrating that adequate protection can be achieved in a manner that is compatible with the natural characteristics of the river.
- 6. Where appropriate, flowage and/or open space easements shall be used to ensure future development will not occur in the floodplain.
- 7. If the subject floodplain fringe land also constitutes wetlands, wetland buffer areas, sensitive habitat lands or significant prehistoric or historic site lands, the use restrictions herein applicable to such areas shall also apply.
- d. Steep Slope Lands. No development, grading, excavation, or deposit of soil or other material, on Steep Slope Lands shall be permitted except as follows:
  - 1. Project Design and Open Space to Protect Steep Slopes. In designing lot configuration on steep slope lands in all land use designations, parcels shall be created in a manner which minimizes encroachment onto steep slopes. Where 10 percent or more of a lot contains steep slope lands, that portion of the lot containing such lands shall be placed in an open space easement, unless the lot is equal to or greater than 40 acres.

The open space easement shall not include any area of encroachment within the limits of the encroachment table at subparagraph (i) below. The terms of the open space easement shall provide for sufficient encroachments necessary for access, clearing, and all exceptions to the encroachment limitations identified at subparagraph (ii) below. New agricultural operations with approved grading or clearing permits will also be allowed in such open space easements, provided any other type of sensitive lands present are protected as required by the applicable sections of this Ordinance.



- i. For all types of projects the maximum encroachment that may be permitted into steep slope areas shall be as set forth in the following table. This encroachment may be further reduced due to environmental concerns or other design criteria.

Twenty-five Percent  
Slope Encroachment Allowance

Percent of Lot in Slopes of Twenty-five Percent Grade and Greater	Maximum Encroachment Allowance As Percentage of Area in Slopes of Twenty-five Percent or Greater
75% or less	10%
80%	12%
85%	14%
90%	16%
95%	18%
100%	20%

- ii. Notwithstanding the provisions of paragraph (i) above, the following types of development shall be allowed on steep slopes and shall not be subject to the encroachment limitations set forth above:
- a) All public roads identified in the Mobility Element of the County General Plan or adopted Community or Subregional Plans, provided that findings are made by the hearing body approving the application that no less environmentally damaging alternative alignment or non-structural alternative measure exists.
  - b) Local public streets or private roads and driveways which are necessary for access to the portion of the site to be developed on slopes of less than twenty-five percent, provided no less environmentally damaging alternative exists. The determination of whether or not a proposed road or driveway qualifies for an exemption, in whole or in part, shall be made by the Director of Planning and Land Use based upon an analysis of the project site.
  - c) Public utility systems, provided that findings are made that the least environmentally damaging alignment has been selected.
  - d) Areas with native vegetation, which are cleared or trimmed to protect existing or proposed structures in potential danger from fire, provided that the area of such clearance is the minimum necessary to comply with applicable fire codes or orders of fire safety officials and that such slopes retain their native root stock or are replanted with native vegetation having a low fuel content, and provided further that the natural landform is not reconfigured.

- e) Trails for passive recreational use according to approved park plans.
  - f) A minimum disturbed area of (i) twenty percent of the entire lot, or (ii) sufficient area to accommodate 3,000 square feet of building footprint (whichever is greater) shall be permitted to provide for reasonable use of existing lots.
  - g) Any ongoing existing agricultural operation, such as the cultivation, growing and harvesting of crops and animals. Land left fallow for up to three years shall be considered to be existing agricultural operations.
2. Waiver of Open Space Easement. The steep slope open space easement requirement may be waived when the authority considering the site plan application makes the following findings:
- i. The slope is an insignificant visual feature and isolated from other land forms, or surrounding properties have been developed on steep slopes such that this project would be considered "infill;" and
  - ii. The property is zoned for .5 acre lots or smaller at the time the application was made, or a concurrent rezone has been filed; and
  - iii. The greater encroachment is consistent with the goals and objectives of the applicable community plan.
  - iv. Site Plan review is required, to ensure consistency of design with these regulations.
- e. Sensitive Habitat Lands. Development, grading, grubbing, clearing or any other activity or use damaging to sensitive habitat lands shall be prohibited. The Board of Supervisors may allow development when all feasible measures necessary to protect and preserve the sensitive habitat lands are required as a condition of permit approval and where mitigation provides an equal or greater benefit to the affected species.
  - f. Significant Prehistoric and Historic Sites. Development, trenching, grading, clearing and grubbing, or any other activity or use damaging to significant prehistoric or historic site lands shall be prohibited except for scientific investigations with an approved research design prepared by an archaeologist certified by the Society of Professional Archaeologists.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)  
 (Amended by Ord. No. 7967 (N.S.) adopted 9-11-91)  
 (Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

- d. The following projects are exempt from the Site Plan requirements of the Historic/Archaeological Landmark and District Area Regulations:
1. Alterations to the interior of a structure which the Director finds do not degrade or distract from the historic, cultural, or architectural resource values which qualify the site as a designated landmark or district.
  2. Electrical, gas or other utility improvements where no associated discretionary permits are required, provided that any visible portion of such improvement does not exceed 24 inches in any dimension, except that no excavation shall be exempted on sites designated with the Historic/Archaeological Landmark and District Area Regulations for archaeological resource values. The Director may require the applicant to submit an affidavit stating that the proposed utility improvement will not serve a use other than those uses presently occurring legally on the site.
  3. Temporary improvements associated with construction activities authorized by building permit. Said improvements shall include, but not be limited to, trailers, fences, and signs which do not require discretionary approval by other applicable sections of The Zoning Ordinance.

Any decision by the Director to exempt a project pursuant to this section shall be final.

(Renumbered and amended by Ord. No. 5330 (N.S.) adopted 12-13-78. Formerly 5710)  
 (Amended by Ord. No. 7101 (N.S.) adopted 3-12-86)  
 (Amended by Ord. No. 8114 (N.S.) adopted 7-29-92)  
 (Amended by Ord. No. 8236 (N.S.) adopted 5-5-93)

#### 5710 SITE PLAN PERMIT EXEMPTION- HISTORIC/ARCHAEOLOGICAL LANDMARKS AND DISTRICTS.

An exemption from the requirement to process a Site Plan permit pursuant to Sections 5709, 5721 or 5724 may be granted by the Director under either of the following circumstances:

- a. If it is determined that the nature of the proposed project is such that subjecting it to the Site Plan review process would not materially contribute to district or landmark preservation objectives. In making a decision on such a Site Plan permit exemption due consideration shall be given to the recommendation of the applicable Historic District Review Board or the San Diego County Historic Site Board or both, as is specified in Section 5745. Such recommendation shall be in writing,

5710

signed by the Chairperson of said Advisory Board, and shall be accompanied by a copy of the project plans upon which the recommendation was based. Site Plan permit exemption requests shall be transmitted by the applicant to the Advisory Board using a form approved by the Director for that purpose. If no recommendation is received by the Director from the Advisory Board within 45 days following the Advisory Board's receipt of the request, the Director may make a decision without the Advisory Board's recommendation.

- b. If all of the purposes and requirements of the Site Plan have been or will be fulfilled by another required discretionary permit which has been or will be reviewed by the Historic Site Board or other applicable Historic District Board.

No building, grading or clearing permit shall be issued for a project for which the Site Plan permit exemption has been granted except pursuant to plans bearing the Director's stamp granting such exemption. No deviation from aspects of such plans pertinent to historic and/or archaeological preservation, such as materials, colors, architectural details, grading, excavation, paving, landscaping, and site design, shall be permitted without prior recommendation of the appropriate Board and approval of the Director.

(Added by Ord. No. 7432 (N.S.) adopted 1-06-88)  
(Amended by Ord. No. 8114 (N.S.) adopted 7-29-92)  
(Amended by Ord. No. 8236 (N.S.) adopted 5-5-93)  
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 5715            CONTENT OF SITE PLAN.

The Site Plan shall include such textual description and plans, sketches, and drawings as are necessary to show:

- a. Use. The existing or proposed use and design of the premises, building or structure, including areas to be paved, graded, excavated, landscaped or otherwise improved or disturbed; and
- b. Value. The historic, cultural archaeological or architectural resource value or significance of a building, structure or site based upon research of historic archives, archaeological and/or ethnographic data, photographs and other documents; and
- c. Relationship to the designated landmark or district. The relationship of the proposed use, activity, building or structure to the historic, cultural, archaeological or architectural resources present at the designated landmark or in the surrounding designated district.

(Amended by Ord. No. 5330 (N.S.) adopted 12-13-78)  
(Amended by Ord. No. 7101 (N.S.) adopted 3-12-86)  
(Amended by Ord. No. 8114 (N.S.) adopted 7-29-92)

## COMMUNITY DESIGN REVIEW AREA REGULATIONS

### 5750 TITLE AND PURPOSE.

The provisions of Section 5750 through Section 5799, inclusive, shall be known as the Community Design Review Area Regulations. The purpose of these regulations is to provide for the maintenance and enhancement of a Community's individual character and identity.

(Added by Ord. No. 7127 (N.S.) adopted 5-7-86)

### 5754 DESIGNATED AREA.

An area that has been identified by the application of a community design review area designator shall be known as a designated area for the purposes of these regulations. Designated areas shall be subject to the Community Design Review Area regulations of Section 5750 through 5799 inclusive. In addition, property subject to the Village 1 (V1), Village 2 (V2), Village 3 (V3), Village 4 (V4), or Village 5 (V5) Zones in the community of Fallbrook shall be subject to these regulations and to the Fallbrook Design Guidelines.

(Added by Ord. No. 7127 (N.S.) adopted 5-7-86)

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

### 5756 SITE PLAN REQUIRED.

No building permit or discretionary approval pursuant to this ordinance shall be issued, nor shall any person construct or alter a building, structure, or parking area, nor shall any outdoor commercial or industrial use be established, on land subject to the Community Design Review Area Regulations until a Site Plan which conforms to the criteria established pursuant to these regulations has been submitted and approved in accordance with the Site Plan Review Procedure commencing at Section 7150. A Site Plan is not required for any of the following:

- a. Alterations to the interior of a structure which are not visible from the outside.
- b. Zone Reclassifications, subdivisions of land, or other discretionary approvals not involving the design of buildings or structures, except that subdivisions in the I-15 Scenic Corridor shall not be exempt.
- c. Electrical, gas or other utility improvements where no associated discretionary permits are required, provided that any visible portion of such improvement does not exceed 24 inches in any dimension. The Director may require the applicant to submit an affidavit stating that the proposed utility improvement will not serve a use other than those uses presently occurring legally on the site.
- d. Temporary improvements associated with construction activities authorized by building permit. Said improvements shall include, but not be limited to, trailers, fences, and signs which do not require discretionary approval by other applicable sections of The Zoning Ordinance.
- e. Signs exempt from The Zoning Ordinance pursuant to Section 6203.
- f. Temporary special purpose off premise signs pursuant to Section 6207.

- g. Any use or development type which according to the applicable design guidelines is not subject to design review pursuant to the Community Design Review Area Regulations.
- h. A grading permit pursuant to the Grading Ordinance, except in the I-15 Scenic Corridor.
- i. The following types of projects which the Director determines comply with the applicable community design program objectives and design guidelines:
  - 1. New on-premise signs, except in the I-15 Corridor, if existing on-premise signs which are under the control of the person requesting the exemption are also in full compliance with applicable design guidelines. The Director may require sufficient evidence in the form of drawings, photographs and/or other graphic exhibits.
  - 2. Replacement, repair or minor modifications to exterior wall or roof finish materials on existing structures.
- j. Exterior alteration or new construction not otherwise exempt under this section, which is not visible from any street, excluding alleys, provided the total lot coverage is not increased to more than 75 percent of the net lot area. Eliminating said visibility through screening techniques such as landscape, walls, fences or grading shall not qualify such exterior alterations or new construction for this exemption. The Director shall determine if a project meets this exemption standard and may require any necessary information including drawings, photographs and/or other graphic exhibits.
- k. Small antennas (i.e., satellite earth station receiving antennas or similar antennas for video programming and television signals) exempted by Federal Communications Commission rules from local design review regulations. This exemption applies to antennas that are one meter (39 inches) or less in diameter or diagonal measurement. Such antennas mounted on masts exceeding 12 feet in height are not included in this exemption.
- l. Certified Farmers' Market pursuant to section 6122.

Any decision by the Director to exempt a project pursuant to this section shall be final.

(Added by Ord. No. 7127 (N.S.) adopted 5-7-86)  
 (Amended by Ord. No. 7576 (N.S.) adopted 1-11-89)  
 (Amended by Ord. No. 8236 (N.S.) adopted 5-5-93)  
 (Amended by Ord. No. 8407 (N.S.) adopted 5-18-94)  
 (Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)  
 (Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)

**5757 SITE PLAN PERMIT EXEMPTION - COMMUNITY DESIGN REVIEW.**  
 An exemption from the Site Plan Permit requirement of Section 5756 may be granted by the Director under either of the following circumstances:

- a. If it is determined that the nature of a proposed project is such that subjecting it to the Site Plan review process would not materially contribute to the attainment of the community design objectives and guidelines as set forth in the applicable Design Guidelines Manual or that all of the purposes and requirements of the Site Plan have been fulfilled by an existing approved discretionary permit. In making a decision on such a Site Plan permit exemption due consideration shall be given to the recommendation of the applicable Community Design Review Board. Such recommendation shall be in writing, signed by the Chairperson or other member of the Review Board who has been authorized by the Review Board to sign Site Plan permit exemption requests, and shall be accompanied by a copy of the project plans upon which the recommendation was based. Site Plan permit exemption requests shall be transmitted by the Director to the Review Board using a form approved by the Director for that purpose. If no recommendation is received by the Director from the Review Board within 45 days following the Review Board's receipt of the request, the Director may make a decision without the Review Board's recommendation. Notwithstanding the above, the Review Board may recommend a Site Plan permit exemption of entire classes of projects, in which case the Director may exempt projects within these classes without obtaining recommendations from the Review Board on each individual case.
- b. If all of the purposes and requirements of the Site Plan will be fulfilled by a concurrent discretionary permit which will be reviewed by the applicable Community Design Review Board.

No building permit shall be issued for a project for which the Site Plan permit exemption has been granted except pursuant to plans bearing the Director's stamp granting such exemption. No deviation from aspects of such plans pertinent to the Design Guidelines, such as materials, colors, architectural details, landscaping, and site design, shall be permitted without prior recommendation of the appropriate Design Review Board and approval of the Director.

(Added by Ord. No. 7229 (N.S.) adopted 11-05-86)  
 (Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)  
 (Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)  
 (Amended by Ord. No. 8105 (N.S.) adopted 7-15-92)  
 (Amended by Ord. No. 8185 (N.S.) adopted 12-16-92)  
 (Amended by Ord. No. 8236 (N.S.) adopted 5-5-93)  
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 5758            CONTENT OF SITE PLAN.

The Site Plan shall include such textual descriptions and plans, sketches and drawings as are necessary to provide the information as required by the applicable community design manual pursuant to Section 5799.

(Added by Ord. No. 7127 (N.S.) adopted 5-7-86)

5760

5760 DEVELOPMENT STANDARDS AND REVIEW CRITERIA.

In addition to the development standards contained in The Zoning Ordinance and the County Code the standards and criteria contained in the applicable Community Design Manual shall apply to any project subject to the Community Design Review Area Regulations.

(Added by Ord. No. 7127 (N.S.) adopted 5-7-86)

5761 SPECIAL PARKING PROVISIONS WITHIN DESIGNATED SPECIAL PARKING DISTRICTS.

a. Purpose and Intent.

The intent of this section is to encourage economic revitalization and the maintenance and enhancement of existing zero front yard setback development patterns in certain traditional downtown commercial districts as specified herein, consistent with certain community design review guidelines adopted pursuant to the Community Design Review Area Regulations. To achieve this purpose, the design, location and number of automobile, bicycle and loading spaces within these districts may be determined on a case-by-case basis.

b. Special Parking Districts Designated.

The following described areas are hereby designated as Special Parking Districts:

1. Parcels with frontage on Main Avenue in Fallbrook, from Mission Road to Elder Street; properties with frontage on Mission Road from Main Avenue to Iowa Street; and Assessor Parcel Number 103-132-06, as said parcel was identified on the County Assessor's maps on June 17, 1994 and any other parcel located in Fallbrook Village Zone 1 or Fallbrook Village Zone 2.
2. Parcels with frontage on Maine Avenue in Lakeside from Maplevue Street to Los Coches Road.
3. Parcels with frontage on Main Street/Highway 67 in Ramona, from Tenth Street to Third Street; and Assessor Parcel Numbers 281-251-01, 281-263-03, 281-444-02, and 281-443-15, as said parcels were identified on the County Assessor's maps on June 17, 1994.

c. Parking Requirements Within Special Parking Districts.

Parking requirements for structures or uses located within a Special Parking District may be established in accordance with a Site Plan approved pursuant to these regulations and the applicable Design Guidelines Manual, provided the following conditions are met:



1. The project will not result in any driveway intersecting with the frontage street if the building site has public vehicular access available from an alley or side street, except that an existing driveway may be retained in the following situations: (1) where a structure is involuntarily damaged or destroyed and is reconstructed, repaired, or rebuilt in accordance with The Zoning Ordinance, or (2) where an existing structure is expanded or renovated in accordance with The Zoning Ordinance. If the building site has no public vehicular access available from an alley or side street, any proposed driveway shall be of minimum permitted width and serve on-site parking and/or loading at the rear of the lot or at such other location as may be approved in accordance with these regulations and the applicable Design Guidelines Manual.
2. The number of spaces shall be determined in consideration of the parking generation characteristics of the proposed use and the physical limitations of the site. The number of spaces shall be as close as possible to the number which would be required if the Special Parking District did not exist, except that for buildings constructed pursuant to a building permit issued after June 17, 1994, the number of spaces shall not be reduced to less than 75 percent of the number which would be required if the Special Parking District did not exist.
3. Notwithstanding any other provision of this section, if a structure in a Special Parking District is damaged or destroyed, any nonconformity as to the applicable off-street parking for said structure may be resumed if the structure is reconstructed, repaired or rebuilt in accordance with the applicable Community Design Guidelines Manual and all other applicable requirements. See also Section 6867.

(Added by Ord. No. 8407 (N.S.) adopted 5-18-94)  
 (Amended by Ord. No. 9620 (N.S.) adopted 12-10-03)

#### 5762 CONCURRENT REVIEW.

The Site Plan required by Section 5756 shall be submitted and reviewed concurrently with an application for a Tentative Map, Tentative Parcel Map, Major or Minor Use Permit or Zone Reclassification. Site Plans and any concurrent applications shall be referred to the appropriate design review board pursuant to Section 5764. The officer or body having jurisdiction over the concurrent application shall also have jurisdiction over the initial adoption of the related Site Plan.

(Added by Ord. No. 7127 (N.S.) adopted 5-7-86)

5764

**5764 REVIEW JURISDICTION.**

Site Plans concerning property within a designated area shall be referred to the appropriate community design review board pursuant to Section 7157 or in areas where no such board exists, the Director may consider the input of the applicable community planning or sponsor group.

(Added by Ord. No. 7127 (N.S.) adopted 5-7-86)  
(Amended by Ord. No. 8236 (N.S.) adopted 5-5-93)  
(Amended by Ord. No. 8712 (N.S.) adopted 8-6-96)

**5766 TRANSMITTAL OF SITE PLANS FOR REVIEW.**

(Added by Ord. No. 7127 (N.S.) adopted 5-7-86)  
(Repealed by Ord. No. 8236 (N.S.) adopted 5-5-93)

**5798 COMMUNITY DESIGN REVIEW BOARD - ESTABLISHMENT, APPOINTMENT, AND DUTIES.**

The establishment, appointment, and duties of the Community Design Review Boards shall be pursuant to Section 396.10 of the San Diego County Administrative Code.

(Added by Ord. No. 7127 (N.S.) adopted 5-7-86)

**5799 COMMUNITY DESIGN REVIEW AREAS.**

- a. **Applicability.** The requirements of Section 5750 through 5799, inclusive, apply to the areas that are designated Design Review Areas (Special Area Designator "B"), and to that property within the community of Fallbrook to which the Village 1 (V1), Village 2 (V2), Village 3 (V3), Village 4 (V4), or Village 5 (V5) Zone has been applied. (see Section 8000)
- b. **Design Criteria.** Site Plan permits and concurrent applications shall conform to criteria set forth in the applicable Design Guidelines Manual approved by the Board of Supervisors.
- c. **Design Review Boards.** Site Plan permits concerning property within designated Design Review Areas shall be referred to the Community's Design Review Board for recommendation, if such a board exists for the area. The Design Review Board shall advise the Director as to the Site Plan permit's conformance with the Community's Design Guidelines Manual. The Review Board's evaluation shall be limited to the design guidelines set forth in the manual, and the Review Board shall cite the specific guideline(s) in instances where a project may be inconsistent with the adopted design manual. The Director may consider the input of the applicable planning or sponsor group in areas where no design review board exists.

(Added by Ord. No. 7127 (N.S.) adopted 5-7-86)  
(Amended by Ord. No. 8712 (N.S.) adopted 8-6-96)  
(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)  
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

## DESIGN REVIEW AREA REGULATIONS

(Added by Ord. No. 6186 (N.S.) adopted 11-18-81)

### 5900 TITLE PURPOSE.

The provisions of Section 5900 through Section 5949, inclusive, shall be known as the Design Review Area Regulations. The purpose of these provisions is to insure that future structures and development of a site will complement not only the site to be developed but also the surrounding areas and existing development.

(Added by Ord. No. 6186 (N.S.) adopted 11-18-81)

### 5902 APPLICATION OF DESIGN REVIEW DESIGNATOR.

The design review area designator shall be applied in accordance with the stated purpose of the Design Review Area Regulations at Section 5900. The ordinance applying said designator to particular property shall contain a statement of the objective(s) sought to be achieved and the standard(s) by which the required site plan will be judged.

(Added by Ord. No. 6186 (N.S.) adopted 11-18-81)

### 5905 SITE PLAN PERMIT REQUIRED.

- a. No permit of any type shall be issued for any development in areas subject to the Design Review Area Regulations until a Site Plan permit has been submitted and approved in accordance with the Site Plan Review Procedure commencing at Section 7150. A Site Plan permit is not required if the Director determines that the proposed project is of such type or character that the stated objectives or review criteria contained in the ordinance applying the design review designator would not be applicable to the proposed project. A Site Plan permit is also not required if said ordinance applying the design review designator specifically exempts the Site Plan permit requirement for the proposed project, and such an ordinance exemption shall be final.
- b. The Site Plan permit shall not be required to contain more information than required to satisfy the stated concerns of the Board of Supervisors at the time the design review area designator was applied.
- c. An exemption from the requirement to process a Site Plan permit pursuant to this section may be granted by the Director under either of the following circumstances:
  1. If it is determined that the nature of the proposed project is such that subjecting it to the Site Plan permit review process would not materially contribute to the attainment of the stated purpose or objectives of the ordinance which applied the Design Review Area Regulations to the subject property, or that all of the purposes and requirements of the Site Plan permit have been fulfilled by an existing approved discretionary permit. In making a decision on such a Site Plan permit exemption, the Director shall consider the recommendation of the applicable Community Planning Group or Sponsor Group. Site Plan permit exemption

requests shall be transmitted by the Director to the Group using a form approved by the Director for that purpose. If no recommendation is received by the Director from the Group within 45 days following the Group's receipt of the request, the Director may make a decision without the Group's recommendation.

Notwithstanding the above, the Community Planning or Sponsor Group may recommend a Site Plan permit exemption of entire classes of projects, in which case the Director may grant an exemption for projects within these classes without obtaining recommendations from the Planning or Sponsor Group on each individual case.

2. If all of the purposes and requirements of the Site Plan permit will be fulfilled by a concurrent discretionary permit which will be reviewed by the applicable Community Planning Group or Sponsor Group.

No building permit shall be issued for a project for which the Site Plan permit exemption has been granted except pursuant to plans bearing the Director's stamp granting such exemption. No deviation from aspects of such plans pertinent to the stated purpose or objectives of the ordinance which applied the Design Review Area Regulations to the subject property shall be permitted without prior recommendation of the appropriate Community Planning or Sponsor Group.

(Added by Ord. No. 6186 (N.S.) adopted 11-18-81)  
 (Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)  
 (Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)  
 (Amended by Ord. No. 8105 (N.S.) adopted 7-15-92)  
 (Amended by Ord. No. 8185 (N.S.) adopted 12-16-92)  
 (Amended by Ord. No. 8236 (N.S.) adopted 5-5-93)  
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 5906 CONTENT OF SITE PLAN.

The required Site Plan shall specify the dimensions, elevation, color and architectural design of the proposed buildings and structures necessary to be compatible with the architectural theme and character of adjacent developed parcels and the existing neighborhood. In addition, the required Site Plan may, when required pursuant to Section 5905b, include such maps, plans, drawings, and sketches as are necessary to show:

- a. The placement, height and physical characteristics of all existing and proposed buildings and structures located on the development site;
- b. The existing vegetation to be removed or retained and all proposed landscaping;

## TEMPORARY USE REGULATIONS

### 6100 TITLE AND PURPOSE.

The provisions of Section 6100 through 6149, inclusive, shall be known as the Temporary Use Regulations. The purpose of these regulations is to establish permitted temporary uses and standards and conditions for regulating same.

### 6102 IDENTIFICATION OF PERMITTED TEMPORARY USES.

The following temporary uses shall be permitted as specified by these regulations:

- a. Circus, Carnival, or Other Outdoor Entertainment Event. The temporary gathering of people for a circus, carnival, or other outdoor entertainment event.
- b. Antique or Art Show on Public Property. The temporary use of public property for antique or art shows.
- c. Civic, Fraternal or Religious Assembly. The temporary gathering by an organization listed in Section 1348 on public or private property that is not the regular gathering place for that organization.
- d. Construction Support. Temporary building and structures supporting residential development and major construction.
- e. Reversible Uses of Future Highway Rights-of-Way. Temporary uses on land required for a future County or State Highway.
- f. Travel Trailer Park. The temporary operation of a travel trailer park.
- g. Uses in New Subdivisions. Temporary uses in new subdivisions and other residential developments which support the sale of dwellings and lots within the same subdivision or residential development.
- h. Use of Trailer Coach. Temporary use of a trailer coach for certain purposes.
- i. Use of Public School Sites. Temporary use of a public school site for certain specified purposes.
- j. Certified Farmers' Market. Temporary use of certain public or commercial property for a Certified Farmers' Market.
- k. Meteorological Testing (MET) Facility. Temporary use of a Meteorological Testing (MET) Facility permitted in accordance with Section 6123.
- l. Temporary Outdoor Sales. Temporary outdoor sales, incidental to the existing commercial uses on a site, in certain commercial or industrial zones.
- m. Commercial Filming. Temporary use of public or private property (not including public road rights-of-way) for commercial motion picture production, television production, still photography and related activities.

6102

(Amended by Ord. No. 7693 (N.S.) adopted 11-29-89)  
(Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)  
(Amended by Ord. No. 9971 (N.S.) adopted 02-25-09)  
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)  
(Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)  
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

**6104 TEMPORARY USES SUBJECT TO CONTROLS.**

Temporary uses shall be subject to all regulations as would be applied to a permanent principal or accessory use located in the same zone, except as otherwise provided by these regulations.

**6106 CIRCUS, CARNIVAL, OR OTHER OUTDOOR ENTERTAINMENT EVENT.**

The temporary gathering of people for a circus, carnival, or other outdoor entertainment event may be permitted by the Sheriff pursuant to Title 2, Division 1, Chapter 8 and Chapter 24 of the County Code through the issuance of a license pursuant to the Uniform Licensing Procedure of the County Code and in compliance with the following provisions:

- a. Location. A circus, carnival or other outdoor entertainment event may be permitted in any zone except zones subject to the RS, RD, RM, and RV Use Regulations. Notwithstanding this subsection, a circus, carnival or other public outdoor assembly event may be permitted in any zone, including the RS, RD, RM and RV Use Regulations on properties with a valid Major Use Permit subject to the requirements of this section.
- b. Duration. The period of operation of the circus, carnival or other outdoor entertainment event shall not exceed five consecutive days, no more than six events per year on the same property. There shall be a minimum of 14 consecutive days between events. Events exceeding these limitations shall be considered Participant Sport and Recreation Use type.
- c. Noticed Hearing Not Required. The Sheriff may issue a license pursuant to this section without notice or public hearing.
- d. Community Events pursuant to Title 2, Division 1, Chapter 2 of the County Code shall be under the authority of the Department of Environmental Health. Community Events may be permitted in any zone except zones subject to the RS, RD, RM, and RV Use Regulations and are permitted on properties with a valid Major Use Permit subject to the Department of Environmental Health requirements.

(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)  
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)  
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

**6107 ANTIQUE OR ART SHOW ON PUBLIC PROPERTY.**

The temporary gathering of people for an antique or art show and sales event may be permitted in compliance with the following provisions:

- a. Location. An antique or art show and sales event may be permitted in any zone provided such event is held on property owned by or under the control of a public agency and which is held pursuant to a permit, license, or leave approved by the governing board of said public agency, which permit, license or lease contains specific authorization for said event. As used in this section, "public agency" includes counties, cities, municipal corporations, political subdivisions, public districts and other public agencies of the State of California.
- b. Duration. The period of operation of the antique or art show and sales event shall not exceed 3 consecutive days, and there shall be no more than six events per year.

(Amended by Ord. No. 6937 (N.S.) adopted 4-10-85)

(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

#### 6108 CIVIC, FRATERNAL OR RELIGIOUS ASSEMBLY.

The temporary gathering by an organization listed in Section 1348 on public or private property that is not the regular gathering place for that organization may be permitted in compliance with the following provisions:

- a. Location. An assembly may be permitted in any zone except zones subject to the RS, RD, RM, and RV Use Regulations.
- b. Duration. The period of operation of the assembly shall not exceed 8 consecutive days. There shall be a minimum of 14 consecutive days between events.
- c. Recurrence. Events recurring more than four times in a calendar year are not considered temporary.

(Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)

(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 6110 CONSTRUCTION SUPPORT.

Temporary buildings for commerce or industry incidental to residential development, and temporary structures for the housing of tools, equipment, building assembly operations and supervisory offices in connection with major construction projects shall be permitted in any zone; provided such temporary buildings or structures are located within or adjacent to the development or construction site to which they are incidental.

#### 6112 REVERSIBLE USES ON FUTURE HIGHWAY RIGHTS-OF-WAY.

Any temporary use, not involving any significant investment in buildings, structures, or other improvements may be permitted through the issuance of a Major Use Permit on a lot or parcel of land provided the Director, Department of Public Works or the District Director of the California Department of Transportation has determined that said lot or parcel will be required in its entirety at some future date for a County Highway or a State Highway. Alternatively, a Major Use Permit may be granted for any use pursuant to a bonded agreement in an amount sufficient to ensure the removal of all buildings, structures, and other improvements within a specified time and/or under specified conditions when the decision-making body finds that such agreement will carry out the intent of this Ordinance and is enforceable by the County.

(Amended by Ord. No. 8506 (N.S.) adopted 3-1-95)

# 6116 USES IN NEW SUBDIVISIONS.

Certain temporary uses as specified herein may be established within a subdivision for which a final map has been recorded, or in a proposed subdivision for which a tentative map has been approved and a final map thereof filed for approval by the Director of Public Works; or in conjunction with an individual multiple dwelling or multiple dwelling complex; solely for the marketing of dwellings, and/or lots, in the same residential development.

## a. Permitted Uses. The following temporary uses may be permitted in conformance with the following standards:

1. Model homes in a number not to exceed that necessary to provide one example of each dwelling type being offered in the residential development. Reversed floor plans and exterior facade variations will not be considered as separate dwelling types. Each model home shall be erected on an individual site which conforms to a lot shown on the recorded final map or on the final map filed for approval with the Director of Public Works; meet all setback requirements of the applicable zone or, in the case of provisional reclassification, of the zone to which the property has been provisionally reclassified; and qualify in all respects for sale and residential occupancy upon termination of its use as a model home.
2. Real estate sales office facilities for the purpose of promoting the sale or rental of dwellings and/or lots, which are located only within the same residential development or proposed subdivision. The foregoing provisions of this section notwithstanding, a temporary real estate sales office facility may be located adjacent to the residential development to which it is incidental in compliance with all other provisions of this section.
3. Off-street parking facilities.
4. Children's play areas, landscaping and landscape features such as walkways, pools, benches, walls, fencing, and similar appurtenant features of a noncommercial nature.

NOTE: See Section 6268 (c.2. & e.) for related temporary on-site signage allowances and requirements, and County Code Section 86.701 et seq. for Water Conservation in Landscaping.

## b. No use authorized by this section will be located, installed or operated in a manner that will have an unnecessarily adverse effect on the use and enjoyment of any property on which an occupied dwelling is located, or may be located during the duration of such authorized use.

## c. Building Permits. Prior to the issuance of building permits for the temporary uses in "a" above, the following conditions shall be met:

1. When the residential development for which such temporary uses are to be constructed would constitute a subdivision, a tentative subdivision map must be approved and the final map thereof recorded; or if a final map has not been recorded, a final map must be filed with the Director of Public Works for approval and approved by said Director as to conformance to the tentative subdivision map and mathematical accuracy.



2. Appropriate zoning must be in effect for the property encompassed by the subdivision or proposed subdivision or other residential development, to accommodate the lot sizes shown on the final map and the proposed uses thereof; provided, however, that where subject property has been provisionally reclassified, lot sizes and proposed uses may conform to the zone to which such property has been provisionally reclassified.
3. Necessary sanitary facilities must be provided as required by the Director of Environmental Health.
4. The property owners shall execute and file with the County and acknowledged agreement (notarized) assuming all risks inherent in construction prior to recordation of a final map and agreeing to abide by all conditions set forth in this Section prior to the sale of any model home; further agreeing that all temporary uses permitted by this section shall be terminated not later than 30 months after issuance of building permits therefore, unless a written request for extension of time has been submitted to and approved by the Director prior to the expiration of said 30 months, and within 30 days of the expiration of said 30 months or extension thereof, all temporary uses and related improvements other than model homes, shall be completely removed from the premises and all model homes shall be restored to a condition suitable for sale for residential occupancy, including reconversion of any garage to a condition suitable for the storage of private vehicles or the provision by other means of required off-street parking spaces. In the case where the final subdivision map has not been recorded, the property owner shall further agree that in the event of a final map which includes the property whereon uses authorized by this section are located is not recorded prior to expiration of the Tentative Map, all uses and related improvements, including model homes, shall be completely removed from the premises and the site restored to a clean and safe condition within 90 days from the date of expiration of the Tentative Map. Each agreement shall also contain a statement signed by the property owner agreeing that if all uses and related improvements are not removed as herein required, they may be removed or demolished, and the site restored by the County without further notice. Prior to the erection of any model home, the property owner shall post with the Director a bond in an amount satisfactory to the Director sufficient to defray any expense incurred by the County in either the restoration or conversion of the model homes to a condition suitable for sale for residential occupancy, or in the complete removal or demolition of said uses and improvements and site restoration. The bond shall be released to the property owner or person legally entitled thereto upon satisfactory removal or conversion of the concerned facilities.

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)  
 (Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)  
 (Amended by Ord. No. 7110 (N.S.) adopted 4-2-86)  
 (Amended by Ord. No. 8157 (N.S.) adopted 10-14-92)  
 (Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)  
 (Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)  
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

6118

6118           USE OF A TRAILER COACH.

The temporary use of a trailer coach for the following purposes may be permitted in compliance with the following conditions:

a.       Business Uses.

1.       Business office for a financial institution or public utility which is required, as a condition of a franchise granted by the United States, the State or a public agency, to maintain a place of business at a location at which no permanent structure suitable for the purpose is available.
2.       Business office incidental to and located on a site on which a temporary carnival, circus, amusement center, Christmas tree sales or similar temporary or seasonal business is being lawfully conducted.
3.       Business office or sales facility on or adjacent to a site on which construction of a permanent business office or sales facility for use of the permittee is being diligently pursued.
4.       Construction office on or adjacent to any site on which a building or construction project is being diligently pursued; or for temporary offices on a site used for a borrow pit, quarry, asphalt paving plant, concrete batch plant, or mining operation for which a major use permit has been granted.
5.       Political campaign office located on private property for a period not to exceed one year provided, however, such trailer shall be removed within 15 days following the next general election held after such trailer is sited.
6.       Real estate sales office when the trailer coach is located on a lot or parcel of land adjacent to or within a proposed subdivision for which a Tentative Map has been approved and a final map thereof submitted to the Department of Public Works for checking to which such real estate office is incidental. Such permit may be issued to expire six months after completion of all sales but not exceed a period of three years.
7.       Business office associated with the production and distribution of agricultural or horticultural products grown on the premises in zones subject to the A70, A72, S90, and S92 Use Regulations upon issuance of an Administrative Permit for a period of not to exceed five years.
8.       Government service uses in accordance with the provisions of Section 6120.

b.       Residential Uses.

1.       Dwelling to accommodate visiting relatives for a period not to exceed thirty (30) calendar days in any calendar year on land owned or leased by the host and on which there is located a permanent dwelling occupied by the host.

2. Dwelling on land owned by the applicant on which the applicant is diligently pursuing construction under a valid building permit for the first permanent dwelling provided that the trailer coach shall maintain all setbacks required for the main building except that the Director may waive meeting the rear yard setback otherwise required by this ordinance provided such waiver is necessary to prevent interference with construction activities and the trailer will be located no closer to the rear lot line than the required interior side yard setback. However, the Director may allow an ETOP (pursuant to subsection 7) converting to a temporary occupancy permit (TOP) to remain in its previously permitted location.
3. A dwelling for temporary health care on a lot where there is a permanent single family dwelling is permitted subject to the requirements set forth below. This trailer is exclusively for temporary occupancy by either: (a) providers of health services which are required by an occupant of the main dwelling, or (b) relatives of an occupant of the main dwelling who require physical care.

The following are requirements for health care trailer approval:

- a) The health care unit shall be a trailer or mobilehome not exceeding 800 square feet measured from the interior surface of the exterior walls
  - b) The trailer shall meet main building setbacks.
  - c) The trailer shall be connected to existing utility systems or required expansion of said systems on site whenever possible.
  - d) Prior to issuance of a building permit for a health care trailer a Certificate of Need signed by a physician licensed to practice medicine in the State of California shall be submitted to and approved by the Director. The Certificate shall be renewed annually.
  - e) When the health care need no longer exists, the unit shall be removed. Failure to comply is a violation of The Zoning Ordinance and may result in any or all remedies or penalties specified in the Enforcement Procedures commencing with Section 7700, including a \$1,000 fine per day or six months jail sentence or both.
  - f) If the applicant complies with the terms of the temporary occupancy permit, then, upon removal of the trailer coach by the applicant, the full amount of any previously furnished deposit shall be refunded or security released.
4. Dwelling for security personnel on or adjacent to any site on which construction of a major residential, commercial, industrial or public works project is being diligently pursued and for which security personnel are employed.
  5. Dwelling for security personnel on any site on which construction of a residential, commercial, industrial or public works project has been completed and for which security personnel are employed pending construction of permanent dwelling facilities for such security personnel.

6. Dwelling for security personnel on a site used for a borrow pit, quarry, asphalt paving plant, rock rushing plant, concrete batch plant, or mining operation for which a Major Use Permit has been granted.
7. Dwelling for displaced residents or security personnel on a site where the principal dwelling has been rendered unoccupiable by reason of an officially declared disaster or emergency relating to fire, wind, flood, earthquake or other similar circumstance. An emergency temporary occupancy permit (ETOP) for such a temporary dwelling shall expire at such time as a building permit for the repair or replacement of the principal dwelling has been issued (at which time the ETOP shall be converted to a temporary occupancy permit (TOP) pursuant to subsection b.2), or one year after the declaration date of the event causing the damage or destruction of the principal dwelling, whichever is earlier.

Prior to the expiration of the ETOP, the Director may grant one or more extensions of up to one year each upon making all of the following findings:

- a) That the granting of the extension will not be detrimental to the public health, safety and welfare;
- b) That there is a special circumstance or a hardship to the displaced residents;
- c) That the special circumstance or hardship is not the result of the residents own actions.

c. Termination of Use.

1. When use of a trailer coach is related to a use authorized by a use permit or Administrative Permit, occupancy or use of the trailer coach shall terminate with the expiration, abandonment or revocation of the related use permit and thereafter said trailer coach shall be removed from subject property.
2. When use of a trailer coach is related to the construction of a related permanent facility, occupancy or use of the trailer coach shall terminate upon completion of construction of the permanent facility and thereafter said trailer coach shall be removed from subject property.

- d. Compliance with County Code. The use and occupancy of any trailer coach shall comply with the provisions of Chapter 2, of Division 5, Title 5, of the County Code or Regulatory Ordinances relating to trailer coaches.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 5684 (N.S.) adopted 1-16-80)

(Amended by Ord. No. 6082 (N.S.) adopted 6-10-81)

(Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)

(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)  
(Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)  
(Amended by Ord. No. 7109 (N.S.) adopted 4-02-86)  
(Amended by Ord. No. 7110 (N.S.) adopted 4-02-86)  
(Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)  
(Amended by Ord. No. 7306 (N.S.) adopted 5-20-87)  
(Amended by Ord. No. 7468 (N.S.) adopted 5-04-88)  
(Amended by Ord. No. 7482 (N.S.) adopted 5-18-88)  
(Amended by Ord. No. 7640 (N.S.) adopted 7-03-89)  
(Amended by Ord. No. 8205 (N.S.) adopted 2-03-93)  
(Amended by Ord. No. 8555 (N.S.) adopted 7-14-95)  
(Amended by Ord. No. 8962 (N.S.) adopted 9-23-98)  
(Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)  
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)  
(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)  
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)



- v. The suitability of the site for the type and intensity of use or development which is proposed; and to
    - vi. Any other relevant impact of the proposed use; and
  - 2. That the impacts, as described in paragraph "a.1." of this section, and the location of the proposed use will be consistent with the San Diego County General Plan; and
  - 3. That the requirements of the California Environmental Quality Act have been complied with; and
  - 4. That the applicant has provided the County with an owner consent letter demonstrating to the satisfaction of the Director that the operator of the MET Facility is authorized to use the property for a MET Facility, unless the operator owns the land upon which the MET Facility will be located.
- b. Location. A MET Facility is prohibited on property subject to the S81 Use Regulations.
  - c. Notification. Notice shall be provided pursuant to Section 7060c.
  - d. Setback. The MET Facility shall be set back from property lines and roads the height of the tower or other tallest piece of equipment extended above the ground. The MET Facility shall meet the applicable setback requirements of the zone. The setback requirements of the zone shall apply to all components of the MET Facility including, but not limited to, a tower, guy wires, guy wire anchors and any other necessary equipment.
  - e. Minimum Spacing. The MET Facility shall be spaced at least 500 feet apart from any other MET Facility.
  - f. Area of Disturbance. The MET Facility shall not disturb an area more than is necessary for the base of a tower, the guy wire anchors, other authorized equipment for the Facility and/or an access road. The equipment may include sonar equipment. It is preferred that the Facility be located as close as possible to an existing access road. The area of disturbance shall be clearly shown on the plans.
  - g. Size. The MET Facility is allowed one temporary structure other than a tower or a sonar equipment trailer. The temporary structure is limited to a size of 120 square feet and may be used for storage of equipment for the MET Facility.
  - h. Illumination. There shall be no outdoor light emissions associated with a MET Facility except as required by the Director, the Federal Aviation Administration or other government agency.
  - i. Height. The MET Facility shall be less than 200 feet in height.

- j. **Duration.** The period of operation of the MET Facility shall not exceed three years from the date of approval of the Administrative Permit unless the Director grants an extension. The MET Facility shall be removed within 30 days of the expiration date of the permit. The Director may grant an extension of time upon the applicant submitting written justification for the continued use of the facility and filing for a modification pursuant to Section 7072. A time extension is no longer needed if the MET Facility is approved by a Use Permit. Once the MET Facility is a part of an approved Use Permit it is no longer considered a Temporary Use.
- k. **Security.** The operator shall provide a security in the form and amount determined by the Director to ensure removal of the MET Facility. The security shall be provided to DPLU prior to building permit issuance. Once the MET Facility has been removed from the property pursuant to a demolition permit to the satisfaction of the Director, the security may be released to the operator of the MET Facility.

(Added by Ord. No. 9971 (N.S.) adopted 02-25-09)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 6124 TEMPORARY OUTDOOR SALES.

Temporary outdoor sales, incidental to the existing commercial uses on the site, may be allowed in compliance with all of the following provisions:

- a. **Seasonal sales of pumpkins or Christmas trees.** The establishment of a temporary sales lot for the seasonal sale of pumpkins or Christmas trees associated with a recognized holiday is allowed subject to all of the following:
  - 1. **Location.** The sales lot area shall be located on a paved site with an existing commercial or industrial development within the C34, C35, C36, C37, C40, C42, M52, M54, M58 Use Regulations, or in designated commercial developments in planned developments or specific plans, unless otherwise prohibited. Sales lots are not allowed on vacant properties.
  - 2. **Duration.** The period of operation shall be between October 1 and October 31 for the sale of pumpkins and between Thanksgiving and December 26 for Christmas trees. The facility shall be removed and the premises cleared of all debris and restored to the condition prior to the establishment of the sales event within 10 days after the required end of the sale.
  - 3. **Size.** The sales lot area shall not exceed 10 percent of the parking area or 10,000 square feet, whichever is less and shall be located most distant from the existing commercial buildings on the property when feasible, to maintain customer parking closest to the buildings. No handicap accessible parking spaces shall be obstructed.
  - 4. **Fencing.** Temporary fencing up to six feet in height around the sales lot area is allowed, providing the fencing location complies with the Section 6708.



5. Temporary Power. A permit for temporary power shall be obtained, as required by the Building Division, for sales lots requiring electrical service.
6. Lighting. All outdoor lighting, including temporary lighting, shall be in compliance with Section 6300 and with the Outdoor Lighting Regulations of the County Code.
7. Site Plan Modification, Minor Deviation or Site Plan Permit Exemption Not Required. For properties that are subject to Sections 5200, 5750, 5800 or 5900, a Site Plan Modification, Minor Deviation or a Site Plan permit exemption will not be required for temporary outdoor sales that comply with all provisions of this subsection.
8. Additional Limitations.
  - a) The seller shall obtain any required licenses or permits from the Sheriff pursuant to the Uniform Licensing Procedure of the County Code.
  - b) The sales lot area shall comply with the fire prevention standards as approved and enforced by the local Fire Protection District.
  - c) Temporary sanitation facilities shall be provided.
  - d) The temporary sales lot area shall not be used for the sale of any merchandise not directly associated with pumpkins or with Christmas trees and holiday decorations.
  - e) The sale of food and beverages is prohibited.

This subsection shall not authorize activities otherwise regulated pursuant to Section 6106.

- b. Vehicles, Trailers or Boats. The establishment of a temporary sales lot for the sale of motorized vehicles (including new or used automobiles and recreational vehicles), trailers or boats is allowed, subject to all of the following:
  1. Location. The sales lot may be located on any paved site with an existing commercial or industrial development within the C34, C35, C36, C37, C40, M54, M56 and M58 Use Regulations, or in designated commercial developments in planned developments or specific plans where Automotive and Equipment: Sales and Rentals, Light Equipment are a permitted use. Sales lots are not allowed on vacant properties.
  2. Duration. The period of operation of the temporary outdoor sales shall not exceed three consecutive days every 3 months, not to exceed 12 days in a calendar year. Facilities for the temporary sale may be set up one day prior to, and taken down one day following, the three day sales period.

3. Size. The sales lot area shall occupy only the parking spaces that are in excess of the minimum number required for the existing uses on the property and shall be located most distant from the existing commercial buildings on the property, when feasible. No handicap accessible parking spaces shall be obstructed.
4. Temporary Power. A permit for temporary power shall be obtained, as required by the Building Division, for sales lots requiring electrical service.
5. Temporary Lighting. All outdoor lighting, including temporary lighting, shall be in compliance with Section 6300 and with the Outdoor Lighting Regulations of the County Code.
6. Site Plan Modification or Minor Deviation Required. For properties that are subject to the provisions of Section 7150, a Modification or Minor Deviation to an existing Site Plan will be required for temporary outdoor sales pursuant to this subsection, unless a Site Plan permit exemption is granted pursuant to Section 7156.
7. Additional Limitations.
  - a) The temporary outdoor sales event shall conform to all applicable provisions of state law, including all requirements of the Department of Motor Vehicles.
  - b) The sales lot area shall comply with the fire prevention standards as approved and enforced by the local Fire Protection District.
  - c) Temporary sanitation facilities shall be provided.
  - d) Sales of vehicle parts or accessories, food and beverages, or any other items are prohibited.

(Added by Ord. No. 10035 (N.S.) adopted 1-27-10)  
 (Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 6125 COMMERCIAL FILMING

Temporary commercial motion picture production, television production (including commercials), still photography and related activities on public or private property (excluding public road rights-of-way), for occasional commercial filming on location, subject to the following:

- a. All commercial filming activities shall be conducted under the auspices of the San Diego Film Commission or successor agency. A Certificate of Insurance indemnifying the County of San Diego as an additional insured, shall be provided to the San Diego Film Commission.

## ACCESSORY USE REGULATIONS

### 6150 TITLE AND PURPOSE.

The provisions of Section 6150 through 6199, inclusive, shall be known as the Accessory Use Regulations. The purpose of these provisions is to establish the relationship among the principal and accessory uses and the criteria for regulating accessory uses.

### 6152 ACCESSORY USES ENCOMPASSED BY PRINCIPAL USE.

In addition to the principal uses expressly included in the Use Regulations, each zone subject to such Use Regulations shall be deemed to include such accessory uses which are specifically identified by these Accessory Use Regulations; and such other accessory uses which are necessarily and customarily associated with, and are appropriate, incidental and subordinate to, such principal uses. When provided by these regulations, it shall be the responsibility of the Director to determine if a proposed accessory use is necessarily and customarily associated with, and is appropriate, incidental, and subordinate to the principal use, based on the Director's evaluation of the resemblance of the proposed accessory use to those uses specifically identified as accessory to the principal uses and the relationship between the proposed accessory use and the principal use. Such determinations which are made by the Director shall be subject to the Administrative Appeal Procedure commencing at Section 7200. It shall be unlawful to establish or maintain any accessory use and/or accessory structure on any lot where there is no lawfully established principal use on the same lot.

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

### 6154 ACCESSORY USES SUBJECT TO CONTROLS.

Accessory uses shall be controlled in the same manner as the principal uses within each zone, except as otherwise provided by these regulations.

### 6156 RESIDENTIAL AND AGRICULTURAL USE TYPES.

Subject to the restrictions and limitations specified, the following accessory buildings and uses shall be permitted in zones where Residential and Agricultural Use Types are permitted:

- a. Attached Private Garages and Carports, Storage Buildings, Workshops, Hobby Shops, and other similar non-habitable uses.
  1. On lots of less than one acre gross, the total area shall not exceed 1,000 square feet or 25% of the living area of the principal residence, whichever is greater. On lots of one acre gross or larger but less than 2 acres, the area shall not exceed 1500 square feet or 25% of the living area of the principal residence, whichever is greater. On lots of 2 acres or larger but less than 4 acres, the area shall not exceed 2000 square feet or 25% of the living area of the principal residence, whichever is greater. On lots of 4 acres or larger, the area shall not exceed 3000 square feet or 25% of the living area of the principal residence, whichever is greater.
  2. If the portion of the structure in which the attached garage or carport is located is more than one story in height, that portion not used for the shelter or storage of vehicles shall be designed and used as an integral part of the principal residence or approved habitable use such as guest living quarters.

3. Additional area may be permitted by issuance of an Administrative Permit with notice provided pursuant to Section 7060c. and findings pursuant to Section 7358, subsections a. 1, 3, 5, and 6.
  4. For properties on which more than one detached residence is allowed per legal lot pursuant to Section 4310 (not including a Second Dwelling Unit pursuant to subsection x.), the total attached garage area, based upon lot size, per a.1 above, shall be allowed for each residence.
- b. Detached Poolhouses, Art or Music Studios, and Recreation Rooms. One detached poolhouse, art or music studio, or recreation room is permitted, provided the structure meets main building setbacks and is not designed for use as a guest living quarters or commercial use, unless permitted by the applicable requirements of the Use Regulations. Only one electric service drop and one electric meter to serve both the main dwelling and structure allowed by this subsection will be permitted. The size of detached Poolhouses, Art or Music Studios, and Recreation Rooms shall be combined with the total allowable square footage of detached private garages and carports, storage buildings, workshops, hobby shops, and other similar non-habitable structures for purposes of size limitations specified in paragraph g below.
  - c. Children's Playhouses, Patios, Porches, Gazebos, etc. Structures which are permitted to encroach into required yards per Section 4835 are limited to 12 feet in height.
  - d. Radio and Television Receiving Antennas, Dish Antennas.
  - e. Greenhouse. In the RR, A70 and A72, and S92 Use Regulations a greenhouse is allowed. In all other Residential Use Regulations, and the S88 Use Regulations where residential uses occur, a greenhouse is limited to 500 square feet unless an Administrative Permit is approved to increase the size. A greenhouse proposed in the S88 Use Regulations shall conform to the requirements of any applicable Specific Plan. A greenhouse in any of the Use Regulations listed above shall comply with the applicable setback and Building Code requirements. The building official shall determine if a building permit is required for a greenhouse.
  - f. Silos, Windmills and Tank Houses.
  - g. Detached Private Garages and Carports, Storage Buildings, Workshops, Hobby Shops, and other similar non-habitable uses (non business or non agricultural purposes). Only one electric service drop and one electric meter to serve both the main dwelling and structure allowed by this subsection will be permitted. The combined area of all such structures, together with the structures authorized by paragraph b above, shall be limited as follows:
    1. On lots of less than one acre gross, the combined area of all such structures shall not exceed 1,000 sq. ft. or 25% of the living area of the principal residence, whichever is greater. (Note that detached accessory structures which exceed 120 sq. ft. are subject to setbacks specified in Section 4842.)
    2. Provided a setback pursuant to Section 4842 is maintained:

- i. On lots of one acre gross or larger but less than 2 acres, the combined area shall not exceed 1500 square feet or 25% of the living area of the principal residence, whichever is greater.
- ii. On lots of 2 acres or larger but less than 4 acres, the combined area shall not exceed 2000 square feet or 25% of the living area of the principal residence, whichever is greater.
- iii. On lots of 4 acres or larger, the combined area shall not exceed 3000 square feet or 25% of the living area of the principal residence, whichever is greater.

Buildings not meeting the setback requirement of Section 4842 are limited to a combined area of 1000 square feet.

- 3. Limited to one story not to exceed 12 feet maximum height. May have 2 stories and a height not exceeding 24 feet if the accessory structure meets the main building setbacks. If the structure is more than one story in height, that portion not used for the shelter or storage of vehicles shall be designed and used as habitable space defined by Section 6156.b or other approved use such as a guest living quarters.
- 4. Additional area, height and story may be permitted by issuance of an Administrative Permit with notice provided pursuant to Section 7060c. and findings pursuant to Section 7358, subsections a. 1, 3, 5, and 6. The Administrative Permit shall not authorize height/stories exceeding the height/story limit specified by the applicable height/story designator. The Administrative Permit shall not authorize reductions to required setbacks. Reductions to setbacks shall be subject to Section 7100, Variances.

h. Barns and Agricultural Storage Buildings shall be limited as follows:

- 1. In zones subject to a Residential Use Regulation (except RR Use Regulations requiring a 1 acre or larger lot area), and in the S88 Use Regulations where residential uses occur, a maximum floor area of 450 square feet and one story not to exceed 12 feet in height. Such buildings proposed in the S88 Use Regulations shall conform to the requirements of any applicable Specific Plan.

Buildings exceeding 12 feet in height are permitted if the structure meets the main building setbacks, provided the height does not exceed 24 feet. When on same lot as a detached private garage, workshop and/or storage building, the combined area of all such structures shall not exceed 1,000 square feet or 25% of the living area of the principal residence, whichever is greater.

- 2. In zones subject to the RR Use Regulations (requiring a one acre or larger lot area), A70, A72, and S92 Use Regulations, barns and agricultural storage buildings shall be limited in height to one story not to exceed 12 feet. Buildings exceeding 12 feet in height are permitted if the structure meets the main building setbacks, provided the height does not exceed 24 feet. A maximum floor area of 1000 square feet is permitted where the lot is less than one acre gross. A maximum floor area of 1500 square feet is permitted where the lot is one acre but

less than 2 acres gross, and 2000 square feet is permitted where the lot is 2 to 4 acres gross. An additional 200 square feet of floor area is permitted for each acre over 4 acres up to a maximum of 5000 square feet.

3. Additional area, height and story may be permitted by issuance of an Administrative Permit, with notice provided pursuant to Section 7060c. and findings pursuant to Section 7358, subsections a. 1, 3, 5, and 6. The Administrative Permit shall not authorize height/stories exceeding the height/story limit specified by the applicable height/story designator.
- i. Offices. Offices are permitted only in zones subject to the A70, A72, S90, and S92 Use Regulations.
- j. Coops and Aviaries. Any enclosure or structure where poultry or birds are kept outside a dwelling, subject to the limitations of Section 3100. Coops and aviaries shall meet the setbacks for Animal Enclosures pursuant to Section 3112 and shall be included in the total square footage allowed pursuant to subsection h.
- k. Guest Living Quarters. In the A70, A72, RR, S90 and S92 Use Regulations, one guest living quarters is allowed on a legal lot. In the RS, RV, RU, RRO and S88 Use Regulations, one guest living quarters is allowed on a legal lot not less than 20,000 square feet in net area. One guest living quarters may be permitted in the RS, RV, RU, RRO and S88 Use Regulations upon issuance of an Administrative Permit on a legal lot which has a net area of less than 20,000 square feet. Guest living quarters are not permitted in other zones. Guest living quarters shall comply with all of the following requirements:
  1. The total floor area of a guest living quarters shall not exceed thirty percent (30%) of the square footage of the primary dwelling up to a maximum of 600 square feet. Additional area, up to 50% of the square footage of the primary dwelling, may be permitted with the approval of an Administrative Permit.
  2. Only one electric meter to serve both the main dwelling and guest living quarters will be allowed.
  3. Guest living quarters shall not be allowed on a lot or parcel having a second dwelling unit, accessory apartment or accessory living quarters. Conversion of such a unit into guest living quarters is allowed provided all zoning and structural requirements are met. If said accessory unit was permitted by a discretionary permit, said permit shall be modified as required by the appropriate section of the Zoning Ordinance.
  4. Notice of guest living quarters Administrative Permit applications shall be given as provided in Section 7060(c).
  5. Before any Administrative Permit may be granted or modified, it shall be found:
    - (a). That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
      - (i). Harmony in scale, bulk, and coverage;

- (ii). The harmful effect, if any, upon desirable neighborhood character;
- (iii). The suitability of the site for the type and intensity of use or development which is proposed; and to
- (iv). Any other relevant impact of the proposed use; and
- (b). That the impacts, as described in paragraph "a" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan.
- (c). That the requirements of the California Environmental Quality Act have been complied with.

See subsection ii. for an illustrative matrix comparing Second Dwelling Units and Guest Living Quarters.

I. Accessory Living Quarters. Repealed.

m. Home Occupations. Home occupations, including in-home offices, shall be permitted in compliance with the following conditions:

1. There shall be no exterior evidence of the conduct of a home occupation.
2. A home occupation shall be conducted entirely within a dwelling, or an attached garage.
3. Electrical or mechanical equipment which creates visible or audible interference in radio or television receivers or causes fluctuations in line voltage outside the dwelling unit shall be prohibited.
4. The residents of the dwelling unit, and no more than one non-resident employee, may be engaged in the home occupation.
5. Limited indoor storage of goods or supplies (125 cubic feet maximum) may take place within no more than one room of the dwelling and/or in the attached garage (provided required parking on-site is maintained and properly located).
6. There shall be no on-premise sale of goods. Occasional transport of goods from the premises for off-site sale may occur. Internet sales are not considered on-premise sale of goods.
7. The establishment and conduct of a home occupation shall not change the principal character or use of the dwelling unit or property involved.
8. There shall be no signs identifying or advertising the home occupation other than those permitted by Section 6252(d) of this ordinance.
9. The required residential off-street parking shall be maintained.

10. A home occupation shall not create vehicular or pedestrian traffic in excess of that which is normal for the zone in which it is located.
  11. No more than six non-resident students at one time, and no more than 18 students during any one (1) day may be given tutoring in music, academics, dance, sports (such as swimming or tennis, notwithstanding subsection 1 and 2 above), or other subjects at a residence. No students may be given instruction between the hours of 9:00 p.m. and 8:00 a.m. All provisions of Noise Abatement and Control, Section 36.401 et seq. of the County Code, shall apply.
- n. Dog, Cat and Pot-Belly Pig Keeping. The keeping of dogs and cats (but not including kennels) and the keeping of up to two pot-belly pigs, provided that the keeping of more than two pot-belly pigs shall be subject to Section 3100, Large Animal regulations.
  - o. Day Care/Boarding. Day care, or boarding for 6 or fewer individuals, provided that no such day care or boarding facility may be owned, operated, managed, or leased by any person, as defined by these regulations, within one mile of any other such facility owned, operated, managed, or leased by the same person.
  - p. Family Care Homes. A family care home, provided that no family care home (other than a foster family home or a residential care facility for the elderly as referenced in Section 1520.5(f) of the California Health and Safety Code) may be operated within 300 feet of any other such home, family care institution or group care facility.
  - q. Roadside Sales of Agricultural Products. Operation of an agricultural stand for the display and sale of agricultural products produced on the premises shall be permitted only as follows:
    1. Agricultural stands are permitted only in the RR Use Regulations on lots one acre or larger, and in the A70, A72, S90 and S92 Use Regulations.
    2. Said stand shall be located no nearer than 15 feet from the edge of any street or highway right-of-way.
    3. Said stand shall be operated by the owner or tenant of the property upon which the stand is located,
    4. Agricultural products produced on other premises owned or leased by the same property owner or tenant may be displayed and sold from said stand.
    5. The total roofed area of said stand, including all areas used for display or storage for all products, shall not exceed 300 square feet.
    6. No agricultural produce shall be sold from a motorized vehicle.
    7. Cold storage shall be allowed only when accessory to the on-site farming operation and used only for storage of crops grown by the person(s) farming the parcel.
    8. Incidental sale of items related to the sale or use of agricultural products (not to exceed 10% of the stand area), including horticultural products, may also take place provided any applicable health regulations are complied with.



9. No commodities other than those listed above may be sold from a produce stand except as allowed by Food and Agricultural Code section 47050.
  10. A produce stand may sell only those ornamental plants that are grown on the same lot as such stand is located.
- r. Wild Animal Keeping. The keeping of not more than one wild animal kept and maintained in conformance with State and local requirements.
- s. Earthworms or Vermiculture. The raising of earthworms or the practice of vermiculture provided that:
1. No sales are advertised or made on the premises unless permitted by the use regulations.
  2. Odors and/or fly-breeding are not greater than customarily found at a well-maintained residence.
  3. The vermiculture area shall utilize household or garden waste or materials that are produced on the site. Importing of waste or other materials from another property shall be prohibited.
  4. The volume of raw or composted decomposable organic and bedding materials shall not exceed that which is reasonably necessary to the production of the worms raised on the site.
- t. Retail Sales of Stable Gear. The retail sale of stable gear, provided that such sales are incidental and subordinate to the use of conforming public stables or equestrian facilities on the premises, and there is no exterior advertising of the accessory use. No such accessory use shall occupy more than 10 percent (10%) or not to exceed 1,000 square feet, whichever is less, of the total floor area of enclosed buildings permitted by right and devoted to such public stable or equestrian facility. Where such public stables or equestrian facilities are permitted by use permit, the total floor area of the accessory use shall be regulated by such permit.
- u. Farm Employee Housing. In the RR, A70, A72, S80, S88, S90, and S92 Use Regulations, farm employee housing is an allowed accessory use to Commercial Agriculture on the same parcel on which the housing is located or on another parcel under the same ownership, provided that:
1. The number of living units is reasonably related to the number of farm employees required for commercial agriculture on the parcel on which the farm employee housing is located and, where applicable, on other land owned or leased and farmed by the applicant.
  2. Consideration shall be given to surrounding land uses when determining the location, size and design of Farm Employee Housing.
  3. Farm employee housing shall be occupied only by farm employees (and their families) engaged in Commercial Agricultural labor and shall not be otherwise occupied or rented.

4. If Commercial Agriculture is not in progress at the time of application for an Administrative Permit, the Permit shall be conditioned to require review to ensure that bona-fide commercial agriculture commences within a reasonable time.
5. Farm employee housing shall be removed or converted to another allowed use at such time as the commercial agriculture to which it relates ceases operation for more than twelve consecutive months following the date of occupancy on the building permit issued for the farm employee housing.
6. Contract. For any application for farm employee housing which is subject to the waiver of fees pursuant to Section 7602.d.5, prior to the approval issuance of the Administrative Permit, the property owner shall enter into a contract with the County agreeing to specific rental terms and conditions which make low cost housing available to farm employees and will allow for periodic inspections of the housing by County employees. The form of the contract shall have been approved by the Board of Supervisors.
7. On an annual basis, the property owner must file a certificate with the Director of the Department of Planning and Land Use stating that the commercial agricultural operation is still taking place on the property and that the tenants are employed as farm employees and thereby renew the agricultural certificate for the farm employee housing. Failure to file the certificate will be interpreted as indicating the commercial agriculture has ceased operation and may be the basis for building permit revocation.
8. Contract. Prior to the issuance of a Building Permit, the property owner shall enter into a contract with the County agreeing to specific terms and conditions limiting farm employee housing to bona-fide farm employees and their families in conjunction with on-going agricultural operations. The form of the contract shall have been approved by the Board of Supervisors.
9. Evidence of Commercial Agriculture. Prior to submittal of the Building Permit application for Farm Employee Housing the property owner shall provide appropriate evidence to the satisfaction of the Director of Planning and Land Use of an active Commercial Agricultural Operation.
10. In the RS, RD, RM, RV, RU, RMH, RRO, RC, C32, C34, C35, C36, C37, C38, C40, C42, C44, C46, M50, M52, M54, M58, S82, S86, and S94 Use Regulations, farm employee housing is allowed upon issuance of an Administrative Permit, provided that it complies with the provisions of 6156 u. 1 through 8, and before an Administrative Permit may be granted or modified, it shall be found:
  - a. That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
    - 1) Harmony in scale, bulk and coverage;
    - 2) The availability of public facilities, services and utilities;

- 3) The harmful effect, if any, upon desirable neighborhood character;
  - 4) The generation of traffic and the capacity and physical character of surrounding streets;
  - 5) The suitability of the site for the type and intensity of use or development which is proposed; and to
  - 6) Any other relevant impact of the proposed use.
- b. That the impacts, as described in paragraph "a" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan.
  - c. That the requirements of the California Environmental Quality Act have been complied with.
  - d. That notice shall be pursuant to Section 7060.c. No hearing is required unless requested by the applicant or other affected person pursuant to Section 7060.d.
- v. Horticultural Sales. In all residential, agricultural, and S88, and S92 Use Regulations, the retail sale of horticultural and floricultural products and their related gardening items in conjunction with and upon the premises of a growing nursery is permitted upon issuance of a Minor Use Permit.
  - w. Accessory Apartments (Elderly/Handicapped/Family Member). Repealed.
  - x. Second Dwelling Units. In zones where the Family Residential use type is allowed by right, a second dwelling unit is allowed on a legal lot containing an existing single family detached residence, or to be constructed concurrently with a primary single family detached residence, provided the following requirements are complied with:
    - 1. The second dwelling unit shall be either attached to the primary unit, wholly or partially integrated into the primary unit, or detached from the primary unit. The second unit may be attached to another permitted accessory building, except for those accessory units or other accessory buildings specified in paragraph 4, 5 or 6 below.
    - 2. Applicable requirements of the building and other codes and of The Zoning Ordinance shall apply to second dwelling units. No Variances shall be granted in order to provide for the second unit.
    - 3. A lot shall contain at least the minimum net area as required by the applicable zoning to qualify for a second dwelling; however, no second dwelling unit shall be permitted on a lot with a net area of less than 20,000 square feet, except pursuant to paragraph 12 below. If a legal lot is at least 1 net acre in size and does not contain at least the minimum net area as required by the applicable zoning, a second dwelling unit may be permitted pursuant to paragraph 12 below.

However, if the lot proposed for a second dwelling is groundwater dependent the minimum size must be twice that required by the residential density controls of Section 67.722 A of the County Groundwater Ordinance unless an exception is granted pursuant to Section 67.750 (c) of that Ordinance.

4. Second dwelling units shall not be allowed on a lot or parcel with a guest living quarter, accessory living quarter, or accessory apartment. Conversion of such quarters into a second dwelling unit is allowed provided all applicable zoning and other code requirements are met, and subject to the following procedures:
  - i. Application for modification of the Administrative Permit or Minor Use Permit that authorized the accessory unit proposed for conversion to a second dwelling unit (if an Administrative Permit is required to establish the Second Dwelling Unit pursuant to paragraph 12 below) and application for any other applicable permits; or
  - ii. If no Administrative Permit is required to establish a second dwelling unit, and an Administrative or Minor Use Permit was approved to authorize the accessory unit proposed for conversion to a second dwelling unit, a request to rescind the existing Administrative or Minor Use Permit may be submitted in addition to an application for building permit and any other applicable permits; or
  - iii. If no Administrative or Minor Use Permit was required to authorize the accessory unit proposed for conversion (Guest Living Quarters in certain use regulations), by application for a building permit and any other applicable permits; or
  - iv. If the accessory unit proposed for conversion was established illegally, by application pursuant to this subsection "4" as if a new second dwelling unit was being proposed.
5. Second dwelling units with a living area exceeding 640 square feet shall comply with the parking requirements for Family Residential under Section 6758. Second dwelling units with a living area not exceeding 640 square feet shall provide one additional off-street parking space. Said additional parking spaces shall not be in tandem with existing spaces. If establishment of the second dwelling unit involves a garage conversion, replacement covered off-street parking shall be provided concurrently. A garage or carport attached to the second dwelling unit shall not exceed 480 square feet of gross floor area. Additional garage area attached to the second dwelling unit may be permitted pursuant to paragraph 12 below. No other structures defined by Section 6156.b shall be attached to a second dwelling unit. No other structures defined by Section 6156.h shall be attached to a second dwelling unit unless approved pursuant to paragraph 12 below.
6. The living area of a second dwelling unit shall not exceed 30 percent of the living area of the existing unit, up to a maximum floor area of 1,200 square feet, except pursuant to paragraph 12 below. However, a second dwelling unit of up to 400 square feet is permitted (even if that figure exceeds 30 percent of the size of the primary dwelling). No other habitable space shall be attached to a detached second dwelling unit.

7. Applicants are required to provide evidence satisfactory to the Director of the following:
  - i. Adequate sewer service or approval by the Department of Environmental Health for use of a septic system;
  - ii. Adequate potable water supply; and
  - iii. That applicable school district fees have been paid.
8. The architectural design, building materials, colors and, if provided, covered parking shall be substantially the same as those of the primary dwelling. Color photographs of the street-facing sides of the existing primary dwelling shall be submitted with the second unit application.
9. No entrance to the second dwelling unit shall face an abutting street unless the entrance is shielded so as not to be apparent when viewed from the abutting street. Plant materials shall not qualify for shielding purposes.
10. Separate sale or ownership of a second dwelling unit from the primary dwelling located on a single lot is prohibited, unless a subdivision is created pursuant to the County Subdivision Ordinance.
11. Application for and issuance of a discretionary permit for a second dwelling shall be limited to the owner-occupant of the primary dwelling or his/her authorized agent. Owner-occupancy of either the primary dwelling or the second dwelling is required for the duration of the use of the second unit for residential purposes, except both units may be rented or leased for a period of up to one year upon written request to, and approval of, the Director. Said request shall state the change in life circumstances of the owner which necessitates interruption of continuous owner occupancy. Rental or leasing of both units may be extended by the Director for one additional period not exceeding six months upon further request of the owner.
12. a. A second dwelling unit may be authorized upon the issuance of an Administrative Permit with all findings per 12.b. and with notice to property owners per 12.c, below, to allow the following:
  - i. Location on a legal lot of less than 20,000 square feet in net area, but not less than the minimum net area required by the applicable zoning; or on a legal lot that is at least one net acre in size and does not meet the minimum net area required by the applicable zoning.
  - ii. A living area greater than 30 percent of the living area of the primary dwelling, not to exceed 50 percent thereof or 1,200 square feet, whichever is less.
  - iii. Conversion to a second dwelling unit of an existing legal accessory living unit, or legalization as a second dwelling unit of an illegal accessory living unit which existed on July 1, 1994, when such existing living unit does not conform to one or more of the following requirements of this subsection x:

- minimum lot size: however, no conversion shall be permitted on a lot of less than the minimum net lot area required by the applicable zoning; except on a legal lot that is at least one net acre in size and does not meet the minimum net area required by the applicable zoning.
- maximum living area: however, a maximum living area of greater than 1200 square feet shall not be authorized;
- off-street parking;
- architectural design;
- location of entrance;
- height and/or setback: to the extent that a variance for height or setback was granted in connection with the establishment of a legal accessory living unit that existed on July 1, 1994, said variance shall be valid and applicable to the conversion of such accessory living unit to a second dwelling unit.

No other exceptions to this subsection or other provisions of this Ordinance shall be authorized by the Administrative Permit.

- b. Before any Administrative Permit may be granted or modified, it shall be found:
  - i. That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
    - (a). Harmony in scale, bulk, and coverage;
    - (b). The availability of public facilities, services and utilities;
    - (c). The harmful effect, if any, upon desirable neighborhood character;
    - (d). The generation of traffic and the capacity and physical character of surrounding streets;
    - (e). The suitability of the site for the type and intensity of use or development which is proposed; and to
    - (f). Any other relevant impact of the proposed use; and
  - ii. That the impacts, as described in paragraph "i" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan.
  - iii. That the requirements of the California Environmental Quality Act have been complied with.

- c. Notice shall be provided pursuant to Section 7060 c. No hearing is required unless requested by the applicant or other affected person pursuant to Section 7060 d.
- 13. Prior to issuance of a building permit for a second dwelling unit, the owner of the property upon which the second dwelling unit is to be located shall submit a notarized and recorded copy of an agreement between the owner and the County of San Diego on a form supplied by the Department. Said agreement shall state that the owner understands and will abide by the requirements of this subsection, other applicable provisions of this Ordinance, and that said agreement is binding on all successors in interest to the subject property as long as the second dwelling unit is used or maintained for use as a separate dwelling unit.

See subsection ii. for an illustrative matrix comparing Second Dwelling Units and Guest Living Quarters.

- y. Family Day Care Home For Children, Large (9 to 14 children). A large family day care home for children is a permitted accessory use upon issuance of an Administrative Permit provided the following conditions are complied with:
  - 1. No such large family day care home for children may be located closer than 500 feet from any other lot containing a large family day care home for children with an Administrative Permit approved by the County of San Diego. The 500-foot distance shall be measured in a straight line connecting the closest points on the lot lines and without regard for intervening structures.
  - 2. The plot plan for a family day care home for children shall show sufficient information to determine the following:
    - i. At least one on-site parking space will be available for any assistant provider or caregiver not a resident of the subject family day care home.
    - ii. Adequate provision will be made to reduce noise impacts on surrounding properties through measures or a combination of measures such as solid fencing six feet in height with or without landscaping around outside activity areas or location of an adequately sized outside activity area a suitable distance away from adjacent dwellings. Adequacy of outside activity areas shall be determined by considering the size of the area provided outside of the required sideyard setbacks and by considering the distance to noise sensitive receptors.
    - iii. There exists an adequate area on-site for temporary parking of a least two automobiles where children may be safely loaded and unloaded, or such area will be provided. This designated loading and unloading area shall remain free and clear of parked cars during hours of operation of the large family day care home.
    - iv. The large family day care home meets the standards and requirements established by the State Fire Marshall as enforced by the local fire authority having jurisdiction over the home.

3. Notice shall be provided pursuant to Section 7060 c. Notwithstanding the Administrative Permit Procedures at Section 7060.d, no hearing is required unless requested by the applicant or other affected person.

The applicant or other affected person may appeal the decision as provided by the Administrative Appeal Procedure commencing at Section 7200. The appellant shall pay the cost, if any, of the appeal.

4. Every Administrative Permit approved pursuant to this section shall contain a condition that no sound amplification device be permitted in outdoor activity areas.
5. For large family day care homes served by on-site wastewater systems the Director of Environmental Health shall certify the adequacy of the on-site wastewater system for the proposed use.
6. No Administrative Permit shall be required for a large family day care home which qualifies for exemption under Section 1596.792 of the State Health and Safety Code.

- z. Wind Turbine Systems, Small. A small wind turbine system, shall be permitted on a parcel of at least one acre and in compliance with the following conditions:

1. Setback. The system shall be set back from property lines and roads at least two times the height of the wind system (to the top of the blade in vertical position) and shall meet the applicable setback requirements of the zone. No part of the system, including guy wire anchors, shall extend closer than 30 feet to the property boundary. The system must also meet fire setback requirements.
2. Fencing. Public access to the wind turbines shall be restricted through the use of a fence with locked gates, non-climbable towers or other suitable methods.
3. Signs. Suitable warning signs containing a telephone number for emergency calls shall face all approaches to the system. Individual signs shall be between 5 and 16 square feet.
4. Noise. The wind turbine shall be operated in such manner that it does not exceed the sound level limits of Title 3, Division 6, Chapter 4 of the San Diego County Code (Noise Abatement and Control).
5. Height. For the purposes of calculating height, the height of the wind turbines shall mean the distance from ground to the top of the blade in vertical position. Height of a small wind turbine system shall not exceed 60 feet. For a wind turbine mounted on the roof of a structure, the height calculation shall be the sum of the height of the structure (at the location of the mounting of the turbine) plus the distance from the roof surface where the turbine is mounted to the top of the blade in vertical position.
6. Any non-operational wind turbines shall be removed within 12 months after becoming non-operational.

Any waiver or modification of the above requirements shall be allowed only in accordance with the Variance Procedure commencing at Section 7100.



- aa. **Bed and Breakfast Home.** A bed and breakfast home is a permitted accessory use upon issuance of a Minor Use Permit provided the following conditions are complied with:
1. Located in a zone subject to the RR, A70, A72, S90 or S92 use regulations, or in a designated Historic District, or conducted within a structure which was constructed prior to 1936.
  2. A maximum of five bedrooms shall be made available for rent. A bed and breakfast home having more than five bedrooms available for rent may be approved if the home is designated a Historic Landmark in accordance with the Historic Landmark Designation procedure commencing at Section 7550.
  3. No bed and breakfast home shall be located on a lot closer than 500 feet from any other lot containing a bed and breakfast home. The 500 foot distance shall be measured in a straight line connecting the closest points on the lot lines and without regard for intervening structures.
  4. The owner or lessee of the property shall operate the facility and reside in the home or other legal residence on the property. If the owner or lessee resides in a residence separate from the facility, instructions on how to contact the owner/lessee after hours for emergencies shall be posted in each room.
  5. One off-street parking space for each room rented and each employee shall be provided in addition to the parking required for single-family occupancy.
  6. Service shall be limited to the rental of rooms and the provision of breakfast for overnight guests. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent.
  7. Signs shall be limited to one on-premise sign not to exceed two square feet.
  8. An adequate water well and sewage disposal system are available, satisfactory to the County Department of Environmental Health for use by the proposed Bed and Breakfast establishment, or letters from the appropriate water and sewer agencies indicating there is sufficient water supply and sewage treatment capacity for the proposed use are submitted by the applicant.
  9. The primary access to the Bed and Breakfast establishment shall be via a publicly maintained road.

bb. Host Home. A host home is a permitted accessory use upon issuance of an Administrative Permit.

1. Criteria. An application for a host home permit shall meet all of the following criteria:
  - a) A maximum of two bedrooms may be made available for rent.
  - b) The owner or lessee of the property shall operate the facility and reside in the home or other legal residence on the property. If the owner or lessee resides in a residence separate from the facility, instructions on how to contact the owner/lessee after hours for emergencies shall be posted in each room.
  - c) One off-street parking space for each room rented shall be provided in addition to the parking required for single-family occupancy.
  - d) Service shall be limited to the rental of rooms and the provision of breakfast for overnight guests. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent.
  - e) Signs shall be limited to one on-premise sign not to exceed two square feet.
  - f) An adequate water well and sewage disposal system satisfactory to the County Department of Environmental Health shall be available, or letters from the appropriate water and sewer agencies indicating there is sufficient water supply and sewage treatment capacity for the proposed use shall be submitted by the applicant.
  - g) The primary access to the host home shall be via a publicly maintained road.
2. Affidavit Required. On a form provided by the Director, the owner shall file an affidavit agreeing to the conditions a. through g. above. The affidavit shall include provisions stating that 1) the owner consents to inspection of the premises by the Code Enforcement Officer in order to verify compliance with said conditions, and 2) that the owner shall furnish a new affidavit to said Enforcement Officer upon request.

3. Notice Required. Notice shall be provided pursuant to Section 7060 c.
  4. Findings Required. The Director may grant the Administrative Permit if the above criteria are complied with, and a finding is made that establishment of the host home will not adversely affect or be materially detrimental to existing neighborhood character, with consideration given to the generation of traffic and the suitability of the site for the type and intensity of the proposed use.
- cc. Family Day Care Home For Children, Small (8 or fewer children) is a permitted residential use when located in a single-family residence.
  - dd. Poultry Manure Management. Poultry manure management practices involving drying and disposal of manure produced on site or brought to a poultry ranch from another poultry ranch owned or operated by the same person(s), provided the receiving site is zoned with an animal regulations designator which allows a unlimited number of poultry.
  - ee. Water Vending By Machine. In the Agricultural and Special Purpose zones, except those areas subject to the S80 Open Space and S81 Ecological Resource Area use regulations, the sale of water from coin or otherwise automatic vending machines shall be allowed, provided the volume does not exceed 5,000 gallons per any consecutive seven day period.
  - ff. Recycling Collection Facility, Drop-off: Provided the total capacity of collection receptacle(s) shall not exceed 192 cubic feet per legal parcel.
  - gg. Garage Sale. The sale of household articles or personal possessions incidentally accumulated during normal or conforming residential use of the property on which the sale is held is permitted, subject to the following restrictions:
    1. Such sales shall not exceed three (3) consecutive days in duration;
    2. No more than four (4) such sales shall be held during any calendar year;
    3. No sale of vehicles (other than bicycles), industrial or commercial equipment, or items purchased for resale shall be permitted;
    4. The sale of personal items belonging to persons not residing on the property where the sale takes place, e.g., neighbors, is permitted.
  - hh. Agricultural Homestay. An Agricultural Homestay is a permitted accessory use upon issuance of a Minor Use Permit provided the following criteria are met:
    1. Located in a zone subject to the A70, A72 or S92 Use Regulations.

2. A maximum of three bedrooms in a farmer or rancher occupied residence shall be made available for rent. If a detached cabin is used in lieu of the ranch or farmhouse, it shall not exceed 500 square feet. Mobile homes and trailers are not permitted to be used for guest bedrooms.
3. The facility shall be on a working farm or ranch. Proof of a continuous agricultural enterprise on the property shall be provided to the satisfaction of the Department of Agricultural Weights and Measures and the Department of Planning and Land Use.
4. The working farm or ranch shall be located on a parcel or adjoining parcels totaling at least 10 acres in size and under the same ownership. The Agricultural Homestay activity shall cease if a subdivision or conveyance of land results in a reduction of the site to less than 10 acres or if agricultural activity ceases.
5. No Agricultural Homestay shall be located on a site containing a Bed and Breakfast or Host Home operation.
6. The farmer or rancher shall reside on the site of the agricultural operation or on an adjoining parcel under the same ownership.
7. One off-street parking space for each room rented shall be provided in addition to adequate off-street parking for the permanent residents and full-time employees.
8. Services shall be limited to the rental of rooms, activities traditionally associated with farms and ranches and the optional provision of meals for overnight guests. No food preparation or cooking for guests shall be conducted within any bedroom or cabin made available for rent.
9. Signs shall be limited to one on-premise sign not to exceed two square feet.
10. An adequate water well and sewage disposal system shall be available, satisfactory to the County Department of Environmental Health, for use by the proposed Agricultural Homestay or letters from the appropriate water and sewer agencies indicating there is sufficient water supply and sewage treatment capacity for the proposed use shall be submitted by the applicant.
11. The owner of the facility shall keep records of the number of guests and lengths of stay and shall retain said records for five (5) years.
12. All Minor Use Permits shall be subject to review by the Department at five (5) year intervals.

- ii. The following matrix compares Guest Living Quarters and Second Dwelling Unit provisions. Complete regulations can be found in subsections k. and x.

### Accessory Use Regulations

<i>This Table is a summary only. For complete regulations see appropriate sections of the Zoning Ordinance. In case of conflict between the provisions graphically represented in this table and the provisions set forth in the text of the Zoning Ordinance, the provisions of the Zoning Ordinance text shall apply.</i>		Guest Living Quarters (6156.k.)	Second Dwelling Unit (6156.x.)
<b>LOCATION AND SIZE</b>			
<b>Applicable Use Types</b>	Residential	■	■
	Commercial	-	-
	Industrial	-	-
	Agriculture	■	■
	Special Purpose	■	■
<b>Net Lot Size Restrictions<sup>1</sup></b>	Must meet minimum required by zoning	-	■
	Must be 20,000 sf or larger	■	■
	<b>Administrative Permit Exceptions</b>		
	May be less than 20,000 sf	■	■
	Minimum zoning not met <sup>2</sup> but 1 acre or larger	-	■
<b>Unit Size Restrictions</b>	Must be equal or greater than 400 sf <sup>3</sup>	-	■
	May not exceed 30% of primary dwelling <sup>3</sup>	■	■
	May not exceed 600 sf <sup>3</sup>	■	-
	May not exceed 1,200 sf <sup>3</sup>	-	■
	<b>Administrative Permit Exceptions</b>		
	Up to 50% of primary dwelling allowed	■	■
<b>DESIGN AND USE</b>			
<b>Allowed Facilities</b>	Kitchen	-	■
	Wetbar	-	■
	Laundry	-	■
<b>Occupancy</b>	Employee	■	■
	Guests up to 30 days	■	■
	Guest more than 30 days	-	■
	Rental	-	■
<b>Attachment to Other Structures</b>	Primary Dwelling	■	■
	Detached garage/carport 480 sf or less	■	■
	Detached garage/carport greater than 480 sf	■	-
	Other habitable space	■	-
	Barn/agricultural storage building	■	-
	<b>Administrative Permit Exceptions</b>		
	Detached garage/carport greater than 480 sf	■	■
<b>Electric Metering</b>	Barn/agricultural storage building	-	■
	Separate Meter Allowed	-	■
<b>PARKING</b>			
<b>Off-Street Parking Requirements<sup>4</sup></b>	1 space for units less than 640 sf	-	■
	2 spaces for units equal or greater than 640 sf	-	■

- Applicable  
- Not Applicable

#### Footnotes:

1. If lot is Groundwater dependent, the lot must be twice the minimum size required per Groundwater Ordinance Section 67.722 A.1.
2. Lot must have met the minimum net area required by zoning at the time the lot was legally created, pursuant to Policy G-3.
3. Ministerially approved, provided all criteria of DPLU (including Zoning/Building/Fire) and other County Departments are met.
4. Required spaces may not be in tandem with required spaces for primary dwelling. May not encroach into front or exterior side setbacks.

- jj. Meetings or Gatherings. The temporary gathering of individuals on private property for a non-commercial event which may involve eating, drinking, studying, or other similar activities, is allowed in compliance with the following provisions:
- a. Use of the Property. The primary use of the property must be residential.
  - b. Parking. All vehicles belonging to individuals attending the meeting or gathering shall be parked in compliance with all applicable laws and shall not impede the flow of traffic to and from the subject property or any other properties in the vicinity.
  - c. Nuisance. The gathering shall not create a public nuisance to surrounding properties, including noise, vibration, traffic or other disturbance. This section can be enforced pursuant to Section 16.205 of County Code of Regulatory Ordinances.
- kk. Agricultural Tourism. Agricultural Tourism may be allowed as an accessory use to a Commercial Agriculture operation in the RR, A70, A72, S90 and S92 Use Regulations provided the following criteria are met:
1. Allowed activities. U-Pick operations, on-site tours, on-site agricultural instruction or demonstrations, lectures or classes about agriculture related topics and participation in agricultural operations on the premises.
  2. Parking. Adequate off street parking shall be provided to accommodate all employee and customer parking needs on the premises, entirely outside of public rights-of-way other than designated parking spaces. No parking on private roads is allowed.
  3. No amplified sound is permitted.
  4. Agricultural tourism does not include uses that are otherwise regulated by this Ordinance or for which a temporary special event permit is required by the Department of Environmental Health or Sheriff Department.
- zz. Other Necessary and Customary Uses. Accessory uses and structures, in addition to those identified above, which are necessarily and customarily associated with, and are appropriate, incidental, and subordinate to principal use, as determined by the Director.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
 (Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)  
 (Amended by Ord. No. 5912 (N.S.) adopted 10-22-80)  
 (Added by Ord. No. 5935 (N.S.) adopted 11-19-80)  
 (Amended by Ord. No. 5676 (N.S.) adopted 12-19-80)  
 (Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)  
 (Amended by Ord. No. 6151 (N.S.) adopted & effective 8-25-81 - Urgency Ordinance)  
 (Amended by Ord. No. 6188 (N.S.) adopted 11-18-81)  
 (Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)  
 (Amended by Ord. No. 6284 (N.S.) adopted 5-5-82)  
 (Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)  
 (Amended by Ord. No. 6586 (N.S.) adopted 5-18-83)  
 (Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)  
 (Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)

(Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)  
 (Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)  
 (Amended by Ord. No. 6857 (N.S.) adopted 10-10-84. Opr. 1-1-85)  
 (Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)  
 (Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)  
 (Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)  
 (Amended by Ord. No. 7110 (N.S.) adopted 4-02-86)  
 (Amended by Ord. No. 7117 (N.S.) adopted 4-23-86)  
 (Amended by Ord. No. 7160 (N.S.) adopted 6-18-86)  
 (Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)  
 (Amended by Ord. No. 7306 (N.S.) adopted 5-20-87)  
 (Amended by Ord. No. 7363 (N.S.) adopted 8-19-87)  
 (Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)  
 (Amended by Ord. No. 7515 (N.S.) adopted 7-13-88)  
 (Amended by Ord. No. 7576 (N.S.) adopted 1-11-89)  
 (Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)  
 (Amended by Ord. No. 7743 (N.S.) adopted 3-28-90)  
 (Amended by Ord. No. 7768 (N.S.) adopted 6-13-90)  
 (Amended by Ord. No. 7790 (N.S.) adopted 08-01-90. This ordinance will expire on August 31,  
 1993, unless extended in connection with GPA 93-02)  
 (Amended by Ord. No. 7817 (N.S.) adopted 9-26-90)  
 (Amended by Ord. No. 8050 (N.S.) adopted 4-8-92)  
 (Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)  
 (Amended by Ord. No. 8086 (N.S.) adopted 6-16-92)  
 (Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)  
 (Amended by Ord. No. 8271 (N.S.) adopted 6-30-93)  
 (Amended by Ord. No. 8409 (N.S.) adopted 6-1-94)  
 (Amended by Ord. No. 8502 (N.S.) adopted 3-1-95)  
 (Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)  
 (Amended by Ord. No. 8599 (N.S.) adopted 10-11-95)  
 (Amended by Ord. No. 8698 (N.S.) adopted 7-17-96)  
 (Amended by Ord. No. 8805 (N.S.) adopted 6-4-97)  
 (Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)  
 (Amended by Ord. No. 9156 (N.S.) adopted 6-14-00)  
 (Amended by Ord. No. 9377 (N.S.) adopted 8-8-01)  
 (Amended by Ord. No. 9470 (N.S.) adopted 6-12-02)  
 (Amended by Ord. No. 9569 (N.S.) adopted 7-9-03)  
 (Amended by Ord. No. 9596 (N.S.) adopted 9-17-03)  
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)  
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)  
 (Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)  
 (Amended by Ord. No. 9982 (N.S.) adopted 4-22-09)  
 (Amended by Ord. No. 10003 (N.S.) adopted 8-5-09)  
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)  
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)  
 (Amended by Ord. No. 10073 (N.S.) adopted 9-15-10)  
 (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)  
 (Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

**6158 CIVIC, COMMERCIAL, INDUSTRIAL, OR EXTRACTIVE USE TYPES.**

Accessory structures and uses necessarily and customarily associated with, and appropriate, incidental and subordinate to the principal civic, commercial, industrial or extractive uses shall be permitted where the principal civic, commercial, industrial or extractive uses are permitted. As provided for in Section 6152, the Director shall determine whether proposed accessory uses and structures conform to the Accessory Use Regulations, and said determinations are subject to appeal pursuant to the Administrative Appeal Procedure commencing at Section 7200.

Subject to the restrictions and limitations specified, the following accessory buildings and uses shall be permitted in zones where Civic, Commercial, Industrial, or Extractive Use Types are permitted:

a. Outdoor Café Seating and Sidewalk Cafés.

1. Outdoor Café Seating. Outdoor café seating accessory to the Eating and Drinking Establishments use type is permitted in the Fallbrook Village Regulations, C32, C34, C35, C36, M50 and M52 use regulations, and outdoor café seating accessory to the Food and Beverage Retail Sales use type is permitted in the Fallbrook Village Regulations, C32, C34, C35, C36 and M50 use regulations, subject to the following conditions:

- i. The outdoor seating area shall be limited in size as follows:

- (a) In Eating and Drinking Establishments to no more than 200 square feet or 25 percent of the establishment's indoor floor area, whichever is greater.
    - (b) In Food and Beverage Retail Sales uses (e.g., bakeries, markets, etc.) to no more than 25 percent of the establishment's indoor floor area or 1000 square feet, whichever is less. However, any such Food and Beverage Retail Sales use that otherwise qualifies under Section 6158 a.1. may have an outdoor seating area of 200 square feet.



- ii. The outdoor seating area shall be located at least 50 feet from areas zoned with the RS, RR, RMH, or A70 use regulations.
- iii. Required zone setbacks shall be observed. Required parking and parking lot landscaping shall be provided for the outdoor seating area.
- iv. The outdoor seating area shall not be used as an entertainment area. Sound amplification devices shall be limited to devices that are necessary to provide low-level background music. Noise levels shall comply with the County Noise Ordinance. Any outdoor lighting shall comply with Section 6324 of The Zoning Ordinance.
- v. If the seating area is proposed within the public right-of-way, then the requirements of Section 6158a.2. below shall also be met.
- vi. When located in an area subject to the Community Design Review Area Regulations, or other applicable special area regulations, the Site Plan review and all other requirements of those regulations shall apply to outdoor café seating.
- vii. Required Minor Use Permits, where applicable, shall be obtained and shall provide for accessory outdoor seating.
- viii. Outdoor café seating areas located adjacent to pedestrian thoroughfares shall leave a minimum width of eight feet completely open at all times between the outdoor seating area and the edge of the pedestrian thoroughfare to accommodate pedestrian traffic.

Proposed outdoor seating for an Eating and Drinking Establishment or Food and Beverage Retail Sales use type in the Fallbrook Village Regulations, C32, C34, C35, C36 or M50 use regulations or an Eating and Drinking Establishment use type in the M52 use regulations not qualifying under these provisions may apply for a Major Use Permit for an open enclosure pursuant to the Enclosure Regulations found in Section 6816.

- 2. Sidewalk Cafés Within the Public Right-of-Way. Sidewalk cafés within public right-of-way shall be a permitted accessory use upon issuance of an Administrative Permit provided the conditions listed below in this subsection are complied with. If the sidewalk café is proposed within the commercial and industrial zones listed in Section 6158a.1. above, then the conditions of that section shall also apply.

- i. The sidewalk café shall be conducted accessory to a legally established Food and Beverage Retail Sales or Eating and Drinking Establishment use type.
  - ii. An encroachment permit for a sidewalk café shall be obtained from the Department of Public Works.
  - iii. The operation of a sidewalk café shall meet applicable requirements of the Department of Environmental Health.
  - iv. Notice shall be provided pursuant to Section 7060 c.
  - v. The hours of operation shall be limited to the hours of operation of the associated Eating or Drinking Establishment or Food and Beverage Retail Sales use.
  - vi. Notwithstanding Section 6158 a.1., no sound amplification device, musical instrument or sound reproduction device shall be operated or used with a sidewalk cafe within the public right-of-way and any outdoor lighting shall comply with Section 6324.
  - vii. A finding shall be made that the sidewalk cafe will not adversely affect the neighborhood nor be detrimental to persons residing, visiting or working in the area.
- b. Wind Turbine System, Small. A wind turbine system, small shall be permitted as an accessory use in all zones where the Civic, Commercial, Industrial or Extractive use types are permitted provided the system complies with the conditions specified in Section 6156z.
- c. Mobilehome dwelling as a secondary use.
- d. Community Use of Private Schools. Meetings or events shall be permitted as a use accessory to a private school unless otherwise expressly prohibited by a use permit authorizing the private school. Such meetings and events shall meet the following criteria:
- (1) The meeting or event is conducted by a nonprofit organization from the community or neighborhood area in the vicinity of the school, and
  - (2) Not more than three such meetings or events shall occur within any given week.
  - (3) Hours of operation. No meeting or event shall begin prior to 8:00 a.m. nor continue later than 10:00 p.m. when inside a building or 8:00 p.m. when outside a building.

3. Storage may be allowed within a cargo container which complies with the requirements of Section 6162.

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)  
 (Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)  
 (Amended by Ord. No. 6857 (N.S.) adopted 10-10-84. Opr. 1-1-85)  
 (Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)  
 (Amended by Ord. No. 7117 (N.S.) adopted 4-23-86)  
 (Amended by Ord. No. 7692 (N.S.) adopted 11-29-89)  
 (Amended by Ord. No. 8034 (N.S.) adopted 2-26-92)  
 (Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)  
 (Amended by Ord. No. 8185 (N.S.) adopted 12-16-92)  
 (Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)  
 (Amended by Ord. No. 9013 (N.S.) adopted 3-17-99)  
 (Amended by Ord. No. 9151 (N.S.) adopted 5-10-00)  
 (Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)  
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 6160 MANUFACTURING AND INDUSTRIAL ZONES.

Single-family dwellings or a single mobilehome shall be permitted as follows in zones subject to the M50, M52, M54, M58, and S82 Use Regulations:

- a. Caretaker or Superintendent. On a lot or building site with a permitted industrial use, and occupied exclusively by a caretaker or superintendent of such industrial use and his family; or
- b. Farm Owner or Operator. On a lot or building site having a net area of at least 5 acres which is being farmed, and occupied exclusively by the owner or operator thereof; or
- c. Kennel Owner or Operator. On a lot or building site with a kennel, and occupied exclusively by the owner or operator thereof and his family.

#### 6162 CARGO CONTAINERS.

- a. No cargo container shall be allowed in any area designated as a Historic/Archaeological Landmark or District or an area designated as a Special Historic District, except as provided in Section d and e below.
- b. A cargo container may be allowed in areas zoned for residential and agricultural uses if it meets the following restrictions:
  1. It is located on property so as to comply with all building setbacks.
  2. It is only used for storage.
  3. There is a legal primary use on the property where it is located.
  4. There are no violations of the Zoning Ordinance or the San Diego County Code of Regulatory Ordinances on the property where it is located.

5. The exterior is painted a solid color pursuant to a list of colors approved by the Director and the color selected matches as closely as possible with the surrounding natural environment.
6. The square footage of the cargo container when added to the square footage of accessory structures on the property does not exceed the maximum allowable square footage for accessory structures under section 6156 g.
7. On sites where the primary use of the property is residential the following additional restrictions shall apply:
  - (i) A cargo container shall only be allowed if it is not visible from any roadway that runs along the parcel.
  - (ii) On sites of less than 2 acres of net lot area: (A) the footprint of a cargo container shall not exceed 320 square feet in area, (B) only one cargo container is allowed and (C) the total time the site can have a cargo container located on it during any 5 year period is 180 days.
- c. A cargo container may be allowed in areas zoned for commercial and industrial uses for storage purposes only if there is a legal primary use on the property where it is located and required parking is not impacted.
- d. Cargo containers are allowed on private property in all zones temporarily to store building materials and/or construction tools during construction pursuant to an active building permit.
- e. Notwithstanding Section 6852, a cargo container that was lawfully on private property before April 18, 2007 may be allowed to continue as a nonconforming use for two years. This section shall not be construed to authorize any cargo container that was illegally placed, maintained or used before the effective date of this paragraph.
- f. Cargo containers are allowed on County-owned property and property owned by a public agency when used exclusively for the storage of emergency supplies for disaster preparedness, pursuant to Section 6158.i. Cargo containers must conform to the requirements of paragraph b.5, above.

(Added by Ord. No. 9844 (N.S.) adopted 4-18-07)  
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

## 6207 SPECIAL PURPOSE OFF-PREMISE SIGNS.

Special purpose off-premise signs may be constructed, placed and maintained in any location in accordance with the following regulations:

### a. General Standards Applicable to Special Purpose Off-Premise Signs.

1. Spacing. Signs shall be located no closer than 300 feet from any other off-premise sign; said distance to be measured on a direct line between signs on the same street and measured along right-of-way lines for signs on intersecting streets.
2. Setbacks. No portion of any sign shall extend beyond private property lines into the street right-of-way, except as permitted pursuant to subsection b.2.
3. Prohibitions. Signs are prohibited in any zone subject to Scenic Area Regulations or Historic/Archaeological Landmark and District Area Regulations, except scenic or historic site directional signs or community identification signs subject to Site Plan review.
4. Building Permits. Building permits shall be obtained for sign construction pursuant to the County Building Code.

### b. Special Purpose Off-Premise Sign Types.

#### 1. Temporary Real Estate Directional Signs.

Off-premise signs providing direction to new residential, commercial or industrial development are allowed if the following requirements are met:

- i. Size. Signs located within the California Coastal Zone and all Residential Zones shall be limited to 16 square feet. The maximum size in all other areas/zones shall be 32 square feet.
- ii. Height. Signs shall not exceed the following heights:  
 0 to 16 square feet = 8 feet  
 17 to 32 square feet = 12 feet
- iii. Location. Signs shall not be permitted upon, projected over, or supported in whole or in part, by or painted onto, any portion of a building; or situated on or attached in any manner to a wall or fence.
- iv. Grouping. Not more than two temporary real estate directional signs may be permitted on a lot or parcel, each relating to a different development. Each sign shall have an area of 32 square feet or less, and shall be grouped so as to present a unified appearance (i.e., uniform height and configuration). No signs shall be less than five feet apart. No sign in such group shall be located within 300 feet of any other off-premise sign that is not part of the group, said distance to be measured in the manner specified in Section 6207(b)5.
- v. Number of Signs. The maximum number of signs shall be limited to 4 for each development.

- vi. Distance from Development. Signs shall not be located more than three air miles from the advertised development within the Coastal Zone and 5 miles in all other unincorporated areas. Signs located within the Coastal Zone may only advertise developments within the Coastal Zone.
  - vii. Construction. Double-faced signs shall be so constructed that the area and perimeter of both faces coincide and are back to back in parallel planes at a distance not to exceed 24 inches apart.
  - viii. Sign Copy. Copy shall be limited to name of the development and the developer; size, type, address, telephone number and price range of properties being offered and directional information.
  - ix. Lighting. Signs shall not be illuminated.
  - x. Appearance and Maintenance. Signs shall be maintained as required to assure a well-kept appearance free from graffiti and cracking or peeling paint. The back of single faced signs visible from adjacent property or a public road shall be solid painted or stained in subdued colors or shall be screened from view.
  - xi. Movement. No sign shall move or rotate, nor display any moving and/or rotating parts. Wind propellers and other noise creating devices shall not be permitted.
  - xii. Time Limit. Temporary Real Estate Directional Signs are allowed for a period not to exceed 2 years.
2. Community Identification Signs. Community Identification Signs are permitted to identify a community, its civic, fraternal, and religious organizations, and its community slogan or motto, if the following requirements are met:
- i. Number and Location. Not more than one sign may be located along any principal approach route to a community. A sign may be allowed within a County road right-of-way subject to all required permits and approvals by the Department of Public Works.
  - ii. Area and Height. Each sign may be single-faced or double-faced with no face to exceed an area of 100 square feet except as allowed pursuant to subsection (a) below. No sign shall exceed a height of 20 feet except as allowed pursuant to subsection (b) below.
    - (a) A sign located over a public road may be single-faced or double-faced with no face to exceed an area of 225 square feet.
    - (b) A sign located over a public road may be allowed up to a height of 25 feet in order to provide a 16 foot minimum clearance between the lowest extremity of the sign and the highest ground elevation directly below, as required by the Department of Public Works.
  - iii. Movement. With the sole exception of a clock, no part of any sign shall move or rotate, nor display any moving and/or rotating parts. The sign shall

not include changeable copy or lights used to convey any messages or convey the effect of movement, or flashing, intermittent or variable intensity lighting.

- iv. The applicable community or sponsor group shall review the location to ensure that it is placed at the entrance of the community.
- v. Site Plan. Obtain any required Site Plan permit or Site Plan permit exemption.

No advertising messages, including business or corporate names, shall be allowed on Community Identification Signs.

3. Directional Signs. Upon issuance of an Encroachment Permit, signs may be authorized in public rights of way for traffic safety purposes to identify and provide directional information to facilities generating large numbers of vehicles or destinations for emergency vehicles in accordance with Board of Supervisors Policy J-5 and Section 4-04.13 of the CalTrans Traffic Manual.
4. Temporary Open House Directional Signs. Temporary Open House Directional Signs are off-premise signs providing directions to an existing individual dwelling that is offered for resale. Such signs are permitted if the following conditions are met:
  - i. Display shall be limited to daylight hours, after which time the signs shall be removed.
  - ii. Placement shall be only on private property, not in public road rights-of-way, and shall be subject to the property owner's permission.
  - iii. Signs shall be limited to no larger than four square feet in area.
  - iv. No more than one such sign shall be placed on any parcel, except for corner lots which may have one such sign on each street frontage.
  - v. Sign copy shall state "Open House" and, in addition shall be limited to the name and phone number of the person and/or agency offering the property for sale, the address of or direction to the property, and a directional arrow.
  - vi. Signs must be related to an individual dwelling that is offered for resale only.
5. Commercial or Industrial Center Identification Signs. Upon issuance of an Administrative Permit, freestanding or monument signs may be authorized to identify a multi-tenant commercial or industrial center, and/or its tenants which are on more than one contiguous lot or parcel. If the sign is proposed in an area having zoning that requires Site Plan review of such signs, then no Administrative Permit is required. The following requirements shall be met:

- i. Location. Commercial or Industrial Center Identification Signs may be located within the boundaries of a commercial or industrial center that can visually and functionally be identified as a unified development.
- ii. Number, Area, Height and other standards. Commercial or Industrial Center Identification Signs may be substituted for on-premise signs normally permitted by Section 6263, provided they comply with the sign standards that would apply to such on-premise signs.
- iii. Site Plan. Obtain any required Site Plan permit, or Site Plan permit exemption.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
 (Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)  
 (Amended by Ord. No. 6389 (N.S.) adopted 7-7-82)  
 (Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)  
 (Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)  
 (Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)  
 (Amended by Ord. No. 6864 (N.S.) adopted 11-07-84)  
 (Amended by Ord. No. 7169 (N.S.) adopted 7-09-86)  
 (Amended by Ord. No. 7658 (N.S.) adopted 08-02-89)  
 (Amended by Ord. No. 8028 (N.S.) adopted 1-15-92)  
 (Amended by Ord. No. 8114 (N.S.) adopted 7-29-92)  
 (Amended by Ord. No. 8555 (N.S.) adopted 7-14-95)  
 (Amended by Ord. No. 8962 (N.S.) adopted 9-23-98)  
 (Amended by Ord. No. 9101 (N.S.) adopted 12-8-99)  
 (Amended by Ord. No. 9472 (N.S.) adopted 5-15-02)  
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 6208 ADMINISTRATIVE PERMIT APPLICATION.

An Administrative Permit may be issued as provided by the Procedure at Section 7050 and pursuant to these regulations. The application for an Administrative Permit shall include the written consent of the owner, lessee, or other person having legal possession of the property upon which a sign is to be situated and shall be accompanied by the fee fixed pursuant to Section 7602.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
 (Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)  
 (Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)  
 (Amended by Ord. No. 9472 (N.S.) adopted 5-15-02)



2. On premise signs are permitted on sites subject to use permits in accordance with the terms and conditions of the use permit or modification. Signs may be altered, relocated or added upon the issuance of a minor use permit provided that such change is not specifically prohibited by the use permit condition.
- c. Setbacks. Freestanding and projecting signs may be located in or project into any portion of the premises in a commercial or industrial zone.
- d. Permitted Combinations of Sign Types.
  1. Roof signs shall be permitted in combination only with wall signs, except no roof signs shall be permitted within the California Coastal Zone or in conjunction with an adult entertainment establishment.
  2. Projecting signs are permitted in combination only with wall signs and one freestanding sign, except no projecting signs shall be permitted in conjunction with an adult entertainment establishment.
  3. Two freestanding signs, where permitted, shall be permitted in combination with wall signs. A projecting sign may be substituted for one freestanding sign, except no projecting sign shall be permitted in conjunction with an adult entertainment establishment.
- e. Lighting. Signs may be illuminated unless otherwise specified, provided such signs are so constructed that no light bulb, tube, filament or similar source of illumination is visible beyond the property lines. Neon signs are permitted provided they do not flash. Signs making use of lights to convey the effect of movement, or flashing, intermittent or variable intensity lighting shall not be permitted, except as allowed herein. Electronic or electrically controlled signs that contain a moving message, or a message that appears to move, shall be allowed only upon issuance of an Administrative Permit, and shall be additionally subject to the following limitations:
  1. The characters incorporated into the message shall not change in intensity, hue or size as they move across the sign.
  2. Such signs shall be limited to the C36, C37, M52, M54, and M58 zones within the Village Regional Category of the Land Use Element of the General Plan, and to properties abutting streets that are categorized in the Mobility Element of the General Plan as Community, Light or Minor Collector Roads, Boulevard, Major Roads, Prime Arterial or Expressway.
  3. Such signs shall not be allowed in areas subject to the S Scenic Special Area Regulations Designator.
  4. The Site Plan permit exemption provisions of Section 7156(b). shall not be applied to any Site Plan proposing such signs.
  5. The Administrative Permit application shall be provided to the Director of Public Works for review and recommendation, including appropriate limits on the intensity of lights allowed and that the location and design of the sign shall not create a traffic hazard, prior to final action.

- f. Movement. No signs shall move or rotate, nor display any moving and/or rotating parts. Wind propellers and other noise creating devices shall not be permitted.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
(Amended by Ord. No. 5809 (N.S.) adopted 6-18-80, operative 9-1-80)  
(Amended by Ord. No. 6187 (N.S.) adopted 11-18-81)  
(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)  
(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)  
(Amended by Ord. No. 6743 (N.S.) effective 1-11-85)  
(Amended by Ord. No. 7829 (N.S.) adopted 10-24-90)  
(Amended by Ord. No. 8015 (N.S.) adopted 12-04-91)  
(Amended by Ord. No. 8114 (N.S.) adopted 7-29-92)  
(Amended by Ord. No. 9472 (N.S.) adopted 5-12-02)  
(Amended by Ord. No. 9620 (N.S.) adopted 12-10-03)  
(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)  
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

5. Each establishment shall be permitted a wall sign of 50 square feet provided no freestanding, roof or projecting signs are located on the same premises.
- b. Location. Wall signs may not project above the top of a parapet, the roof line at the wall, or roof line. Wall signs on a sloping roof may not project above the ridge line.

(Amended by Ord. No. 8015 (N.S.) adopted 12-04-91)

#### 6266 ROOF SIGNS.

- a. Permit Required. A roof sign is permitted by issuance of an Administrative Permit upon the finding by the Director that no alternate sign location exists on the premises that would provide reasonable exposure except that no permit for roof signs shall be issued in the area covered by the California Coastal Zone or along State or County designated scenic highways or in conjunction with an adult entertainment establishment.
- b. Number. Only one roof sign consisting of not more than 2 faces may be permitted for any premises.
- c. Area. The permitted areas of roof signs shall be calculated in accordance with the following:
  1. The area of a roof sign shall not exceed 1.0 square foot for each linear foot of street frontage not to exceed a maximum of 100 square feet.
  2. The maximum area of a freeway oriented roof sign shall not exceed 200 square feet.
- d. Height. Maximum height shall be 10 feet above the roof height measured at the top of the parapet or the ridge line as appropriate notwithstanding the height limit of the zone.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)

(Amended by Ord. No. 6743 (N.S.) effective 1-11-85)

(Amended by Ord. No. 8015 (N.S.) adopted 12-04-91)

(Amended by Ord. No. 9472 (N.S.) adopted 5-15-02)

6267

6267 PROJECTING SIGNS.

Projecting signs may be erected or placed in accordance with the following provisions:

- a. Number. An establishment with frontage on a street may have one projecting sign along each street instead of a freestanding sign or a roof sign, except no projecting sign shall be permitted in conjunction with an adult entertainment establishment.
- b. Area. The area of a projecting sign shall not exceed 0.5 square foot for each linear foot of building facing not to exceed 100 square feet.
- c. Height. Projecting signs may not extend above the roof line at the wall or above the top of a parapet wall.
- d. Installation. Projecting signs shall be so installed that support is not visible.

(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)

(Amended by Ord. No. 8015 (N.S.) adopted 12-04-91)

6268 OTHER SIGN TYPES.

In addition to the foregoing types of signs, the following signs shall be permitted in any location. The area of these signs shall be in addition to the aforesaid maximum sign areas.

- a. Directional Signs. Signs to direct or control on-premise traffic or parking provided such signs do not exceed an area per face of 8 square feet nor a height of 8 feet.
- b. Accessory Signs-Drive-In and Drive-Through Businesses. Such signs shall not be designed to be viewed from beyond the premises and each shall not exceed 25 square feet per frontage.
- c. Banners, Pennants and Similar Devices. Strings or individual banners, streamers, inflatables, pennants and similar devices; provided that one of the following holds:
  1. Such signs are for the purpose of calling attention to a grand opening of a new business. Any required Site Plan permit, or Site Plan permit exemption, shall be obtained from the Department. Such temporary signs may be displayed for a maximum of 60 days and then must be removed from display.
  2. Such signs are for the purpose of calling attention to a temporary use accessory to residential construction pursuant to the Temporary Use Regulations at Section 6116. Such signs are permitted along both sides of the interior street affording principal access to the model homes and within that portion of the subdivision or other residential development devoted to display of model homes, provided:
    - i. Except as hereinafter specified, each flag, banner, or pennant must be affixed to a separate standard implanted in the ground.

- ii. Said standards are to be spaced at least 10 feet apart and, except as hereinafter specified, are not to exceed 12 feet in height.
  - iii. One flagpole not exceeding the height limit of the applicable zone may be provided within the area devoted to display of model homes and may be used only to display flags.
- d. Service Station Signs. One sign relating to grades and prices of gasoline and diesel fuel shall be permitted per station frontage.
- e. Temporary Real Estate Signs. The following temporary signs for the purpose of promoting initial residential sales are permitted pursuant to the Temporary Use Regulations at Section 6116 and 7156 and are in addition to the banners, pennants and similar devices permitted at Section 6268 (c):
  - 1. Unlighted freestanding signs identifying the residential development provided that the aggregate area of all signs shall not exceed 800 square feet. One such sign may have a maximum area of 200 square feet provided no other sign exceeds an area of 100 square feet. One sign may be adjacent to each street which provides access to the residential development.
  - 2. One unlighted sign not exceeding 16 square feet in area for each model home and sales office.
- f. Mobilehome and Recreation Vehicle Park Signs. Signs located within mobilehome or recreational vehicle parks may be permitted subject to the following
  - 1. One wall sign or freestanding sign identifying the mobilehome or recreational vehicle park is permitted adjacent to each street which provides primary access to the park. No freestanding sign shall exceed a height of 8 feet. No sign shall exceed 32 square feet in area.
  - 2. One directional sign without any advertising at each driveway. Each sign shall not exceed 8 square feet or 8 feet in height. Directional signs may be lighted.

(Amended by Ord. No. 5612 (N.S.) adopted 10-10-79)  
 (Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)  
 (Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)  
 (Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)  
 (Amended by Ord. No. 9101 (N.S.) adopted 12-8-99)  
 (Amended by Ord. No. 9472 (N.S.) adopted 5-15-02)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

6269

**6269            SIGNS IN THE RC, C30, C31 AND C32 USE REGULATIONS.**

Signs are permitted in the C30, C31 and C32 Use Regulations and for Commercial Use Types in the RC Use Regulations as follows:

- a.     One wall sign on each wall of a building facing a street but not more than two wall signs for each building, provided that each sign shall be limited to a maximum area of 20 square feet.
- b.     One monument sign on each street frontage of the premises.
- c.     One occupant directory sign at or near each principal entrance to a multiple occupancy building in lieu of a wall sign permitted by (a) above.
- d.     One sign of 12 square feet or less for each building facing/tenant occupancy in lieu of one wall sign per building frontage.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

**6271            ON-PREMISE SIGNS -- APPLICATION AND FEES.**

Applications for signs specified in Sections 6261 through 6269 shall be signed by the owner or include a statement signed by the owner, lessee or other person having legal possession of the property upon which a sign is to be situated giving his/her consent to the application for placement of such sign thereon. An application shall be accompanied by the fee prescribed in Section 7602 and shall list and describe all existing signs on the premises.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)

(Amended by Ord. No. 9472 (N.S.) adopted 5-15-02)

**6277            BUILDING PERMIT REQUIRED.**

Issuance of Administrative Permit does not preclude the requirement for obtaining a building permit pursuant to the Uniform Building Code.

(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)

The decision of the Director may be appealed in accordance with the Administrative Appeal Procedure commencing at Section 7200.

(Added by Ord. No. 5933 (N.S.) adopted 11-19-80)  
(Amended by Ord. No. 7110 (N.S.) adopted 4-02-86)

#### 6324 LIGHTING PERMITTED IN REQUIRED YARDS.

Lighting permitted in required yards by the provisions of Section 4835, shall be subject to the following regulations:

- a. Illumination Only. Lights shall be used for the purpose of illumination only, and not designed for or used as an advertising display.
- b. Horizontal Cutoff. Luminaires shall be so designed and shielded by horizontal cutoff to eliminate all light directed above the horizontal. The lower edge of the luminaire's housing shall extend below the entire light source and all glassware so that any light emitted above the horizontal is eliminated. Light-directing refractors shall be considered to be light sources.
- c. Light Trespass. The illumination of adjacent premises by spill light shall not exceed a value of 0.2 foot candles measured in the horizontal or vertical plane at a point three feet above grade level and five feet inside the adjacent property. This measurement shall be taken 15 minutes after the initial start up of the fixture.
- d. Minimum Height. Lights illuminating vehicular areas shall be mounted at least 12 feet above the ground.
- e. Minimum Spacing. Lighting poles shall be spaced at least 50 feet apart; provided, however, that at least 2 poles may be located on each building site.
- f. Removal. Poles and lights shall be removed at the owner's expense when property on which they are located is taken for street widening.
- g. Dark Skies Ordinance. All outdoor lighting shall comply with the requirements specified in the County Light Pollution Code, which commences at Section 51.201 of the County Code of Regulatory Ordinances.

(Added by Ord. No. 5933 (N.S.) adopted 11-19-80. Formerly Section 6906)  
(Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)  
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 6326 LIGHTING NOT IN REQUIRED YARDS.

Outdoor area lighting not in required yards shall conform to the provisions of paragraphs a., b., c., and g of Section 6324, except that where such lighting is authorized by a use permit, the terms and conditions of said permit with regard to such lighting shall prevail.

(Added by Ord. No. 5933 (N.S.) adopted 11-19-80. Formerly Section 6908)  
(Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)





3. Rear or Interior Side Yards. Permitted up to a maximum height of 72 inches.
- c. Tennis Court Fencing and Lighting. Tennis court fencing exceeding the height otherwise allowed by this Section, but not greater than twenty (20) feet in height, and lighting standards not greater than twenty (20) feet in height may be permitted on lots of one (1) gross acre or larger in size upon granting an exception in accordance with Section 6708h.
  - d. Gates and Gate Entry Structures on Individual Lots or Building Sites. Gates, not exceeding 12 feet in height, and gate entry structures on individual lots or building sites are permitted. Gate entry structures on individual lots or building sites shall meet the criteria shown below. An exception to these criteria may be granted in accordance with Section 6708h. Where the County Fire Code and Local Fire District Ordinances require additional restrictions; the most restrictive requirements shall apply.
    1. Main Building Area. Permitted up to the maximum height applicable to the main building.
    2. Front, Rear, Interior or Exterior Side Yard. Permitted, provided no higher than 12 feet and located a minimum of 10 feet from the nearest edge of any public road right-of-way or private road easement which intersects the access to the gate entry structure. Support elements designed as entry structures on either side of a fence opening that provides vehicular access may extend a horizontal distance of not more than 15 feet on both sides of the opening and may not exceed 12 feet in height for more than a distance of 6 feet on either side of the opening. Such entry structures may incorporate a gate house not exceeding 12 feet in height, but may not bridge the entryway unless an exception is granted in accordance with Section 6708h.
    3. For Fire Protection Access, gate entry structures shall provide a minimum vertical clearance of 13 feet, 6 inches for vehicles. (Note: The County Fire Code and Local Fire District Ordinances regulate entry gates or other obstructions across fire access roadways and driveways. Gate entry structures fall under the County Fire Code and must be reviewed by the appropriate Fire Agency.)
  - e. Gates and Gate Entry Structures Across Private Road Easements. Gates not exceeding 12 feet in height, and gate entry structures across private road easements are permitted. Gate entry structures on private road easements shall meet the criteria shown below. An exception to these criteria may be granted in accordance with Section 6708h.
    1. Gate entry structures shall not exceed a height of 12 feet; and
    2. Gate entry structures shall be located at least 50 feet from any road right-of-way or road easement which intersects the gated access; and
    3. Gate entry structures shall not extend a horizontal distance of more than 15 feet on either side of the gate opening and may not exceed 12 feet in height for more than a distance of 6 feet on either side of the opening.

4. For Fire Protection Access, gate entry structures shall provide a minimum vertical clearance of 13 feet, 6 inches for vehicles. (Note: The County Fire Code and Local Fire District Ordinances regulate entry gates or other obstructions across fire access roadways and driveways. Gate entry structures fall under the County Fire Code and must be reviewed by the appropriate Fire Agency.)
  5. Prior to issuance of a building permit, written consent shall be obtained for the gate or gate entry structure, and submitted to the Department (on a form satisfactory to the Department), from all owners of property with access rights across the private road easement upon which the gate is to be installed.
- f. Lighting. Lights and/or decorative fixtures may be placed on the top of pilasters or fence posts on both sides of each entry, at property corners, and elsewhere along a fence or wall spaced a minimum of 40 feet apart. Such fixtures may extend 12 inches above the top of the supporting post or they may extend up to a height equal to the width of a supporting pilaster (or post), to a maximum of 24 inches, whichever is greater. Such lighting shall conform to the provisions of subsections a., b. and c. of Section 6324 (LIGHTING PERMITTED IN REQUIRED YARDS). Exceptions to these criteria may be granted in accordance with Section 6708h.
- g. Fences and Walls Which Confine Animals. The location of fences and walls which confine animals shall conform to the Animal Regulations commencing at Section 3000.
- h. Exceptions.
1. Fences, Walls and Gate Entry Structures on Individual Lots. The Director may approve an administrative permit granting an exception to the applicable criteria otherwise specified in this Section for fences (including tennis court fences and light standards), walls and gate entry structures on individual lots. The Administrative Permit Procedure at Section 7050 through Section 7099 shall apply. Notice shall be provided pursuant to Section 7060 c. The Director may approve said administrative permit provided the following findings are made:
    - i. The structure will be compatible with the community character and will not be detrimental to the health, safety or general welfare of the surrounding properties or the neighborhood; and
    - ii. The structure will not interfere with traffic circulation, create a safety hazard or obstruct future road widening.
  2. Gate Entry Structures and Gate Houses on Private Easements. The Director may approve an administrative permit granting an exception to the applicable criteria otherwise specified in this Section for gate entry structures and gate houses on a private easement. The applicant shall provide notice materials in accordance with Section 7060c. and shall provide a list of all property owners having legal access to the easement upon which the gate entry structure or gate house will be located. The Director shall notify all property owners in accordance with Section 7060c. and all property owners on said legal access list. The Director may approve said administrative permit provided the following findings are made:

- i. The structure will be compatible with the community character and will not have a harmful effect upon the neighborhood; and
    - ii. The structure will not be detrimental to the health, safety or general welfare of the surrounding properties or improvements.
  - 3. Lighting. The Director may approve an administrative permit granting an exception to the applicable criteria otherwise specified in this Section for lighting provided a finding is made that said lighting will be compatible with the community character and will not have a harmful effect upon the neighborhood.
  - i. Administrative Exceptions for Additional Fence or Wall Height. An administrative exception for fence heights up to 7 feet 6 inches in interior side yard setbacks or in rear yard setbacks not abutting a street, private thoroughfare, or alley, may be granted provided the following requirements are met:
    - 1. Written consent is obtained for the proposed additional fence height, and submitted to the Department (on a form satisfactory to the Department), from all owners of contiguous property (including owners of parcels or lots across any street or alley from the site proposed for fencing).
    - 2. An application form shall be submitted and a processing/record-keeping fee shall be collected at the time an administrative exception for additional fence height is requested, pursuant to the fee referenced in Section 7602.
- Any decision by the Director pursuant to this section shall be final.
- j. Open Fences With Razor Wire or Barbed Wire at Top - Calculation of Fence Height. Where open fences 72 inches in height or greater are permitted, razor wire and barbed wire attached to support elements extending from the top of an open fence at an angle from the vertical are permitted except where said razor wire and barbed wire are not permitted in Subsection b.2. of this Section. The portion of the fence consisting of razor wire or barbed wire attached to support elements extending from the top of an open fence at an angle from the vertical, shall not be used in calculating the height of such a fence provided the vertical height of said razor wire and/or barbed wire shall not exceed 2 feet.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
 (Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)  
 (Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)  
 (Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)  
 (Amended by Ord. No. 7576 (N.S.) adopted 1-11-89)  
 (Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)  
 (Amended by Ord. No. 8246 (N.S.) adopted 5-19-93)  
 (Amended by Ord. No. 8425 (N.S.) adopted 7-13-94)  
 (Amended by Ord. No. 8599 (N.S.) adopted 10-11-95)  
 (Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)  
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)  
 (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

**6714 REQUIRED LANDSCAPING.**

In all zones, properties shall be landscaped and maintained in accordance with the provisions of the County Code sections 86.701 et seq. and the conditions of any applicable discretionary permit. The following landscaping shall also be required:

- a. **M50 and M52 Use Regulations.** In all zones subject to M50 and M52 Use Regulations, a landscaped strip at least 10 feet wide shall be established in every front yard; and a landscaped strip at least 5 feet wide shall be established in every exterior side yard, and in every interior side yard and rear yard adjacent to each public place, and adjacent to all abutting property in any residential zone, except for necessary ways of ingress and egress. The landscape strips shall include dense view-obscuring screening at least 6 feet in height in side or rear yard landscape strips, and 42 inches high in front yard landscape strips. The landscape strips shall be subject to the requirements of San Diego County Code sections 86.701 et seq.
- b. **Mobilehomes Parks and Planned Developments With Mobilehomes.** In a mobilehome park developed pursuant to the Mobilehome Park Regulations commencing at Section 6500 or a planned development contained mobilehomes developed pursuant to the Planned Development Regulations commencing at Section 6600, all areas not used for permitted main or accessory buildings, interior access drives, pedestrian circulation, and service areas shall be completely and permanently landscaped and maintained in accordance with the provisions of San Diego County Code sections 86.701 et seq. and the conditions of the applicable use permit. The mobilehome park or planned development containing mobilehomes shall relate harmoniously to the topography of the site, and where feasible make suitable provisions for preservation of water courses, wooded areas, rough terrain and similar natural features and areas, and shall otherwise be so designed as to use such natural features and amenities to best advantage.
- c. **Commercial Activities in Residential Zones.** In all residential zones the required front and exterior side yards of lots or parcels on which commercial use types are conducted shall be landscaped in accordance with the provisions of sections 86.701 et seq. of the County Code.

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 10031 (N.S.) adopted 1-13-10)

(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

**6799        PARKING OF COMMERCIAL VEHICLES IN RESIDENTIAL, AGRICULTURAL AND CERTAIN SPECIAL PURPOSE ZONES.**

No person shall park any commercial vehicle in excess of one ton capacity on private property in Residential, Agricultural and the S90 and S92 Special Purpose Zones except as follows:

- a.    When loading or unloading property, or
- b.    When such vehicle is parked in connection with, and in aid of, the performance of a service to or on property in the block in which such vehicle is parked.

Notwithstanding the above provisions, no vehicle shall remain parked in excess of five consecutive hours. Section 6799 does not apply to recreational vehicles or farm vehicles or equipment, including maintenance equipment, necessary for agricultural production on the property where the vehicles and equipment are parked. In Agricultural Zones and the S90 and S92 Special Purpose Zones, a maximum of two vehicles of up to two tons capacity may be parked by a person owning said vehicles and the property where they are parked and who is conducting an agriculturally-related service or activity located elsewhere.

(Renumbered without substantive amendment by Ord. No. 6940 adopted 4-10-85. Formerly Sec. 3295.)

(Amended by Ord. No. 7935 (N.S.) adopted 6-19-91)

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)



- d. Exception for Recycling Collection Facility. The Recycling Collection Facility, Small and Large use types are exempt from the enclosure regulations.
- e. Exception for the Fallbrook Village Zones. The enclosure regulations and the exceptions to the enclosure regulations are specified in the Site Development Regulations for each Fallbrook Village Zone.
- f. Open storage of boats and / or recreational vehicles may be permitted as an accessory use in connection with issuance of a major use permit for a Mini-warehouse.
- g. Exception for Certified Farmers' Market. The Certified Farmers' Market Temporary Use type is exempt from the enclosure regulations.
- h. Exception for Temporary Outdoor Sales. Temporary Outdoor Sales which are in compliance with Section 6124 are exempt from the enclosure regulations.
- i. Exception for Recycling Processing Facility, Wood and Green Materials. The Recycling Processing Facility, Wood and Green Materials Use type is exempt from the enclosure regulations (providing the use complies with Section 6706) except in the M50, M52 and C40 Use Regulations.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
 (Amended by Ord. No. 5549 (N.S.) adopted 6-29-79)  
 (Amended by Ord. No. 5809 (N.S.) adopted 6-18-80, operative 9-1-80)  
 (Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)  
 (Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)  
 (Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)  
 (Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)  
 (Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)  
 (Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)  
 (Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)  
 (Amended by Ord. No. 9013 (N.S.) adopted 3-17-99)  
 (Amended by Ord. No. 9260 (N.S.) adopted 12-10-03)  
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)  
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)  
 (Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)  
 (Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)

6816

6816            ENCLOSURE MATRIX.

The enclosures which are permitted, permitted subject to a Minor Use Permit, permitted subject to a Major Use Permit, permitted subject to an Administrative Permit, and permitted subject to a Site Plan are set forth in the Enclosure Matrix. This matrix and Limitations 8, 9 and 12 of Section 2980 are incorporated into this Section and all references to this Section shall include references to them.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
(Amended by Ord. No. 5809 (N.S.) adopted 6-18-80)  
(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)  
(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)  
(Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)

(ENCLOSURE MATRIX)

(Last amended by Ord. No. 7740 (N.S.) adopted 3-28-90.  
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)



## ENCLOSURE MATRIX

(Part of Section 6816)

Use or Special Area Regulations	TYPE OF ENCLOSURE												
	Civic Use Types			Commercial Use Types				Industrial Use Types			Agricultural Use Types		
	Enclosed	Open	Drive-In	Enclosed	Semi-Enclosed	Open	Drive-in	Enclosed	Semi-Enclosed	Open	Enclosed	Semi-Enclosed	Open
R-S	•	•									<u>m</u>	<u>m</u>	•
R-D	•	•									<u>m</u>	<u>m</u>	•
R-M	•	•									<u>m</u>	<u>m</u>	•
R-V	•	•									<u>m</u>	<u>m</u>	•
R-U	•	•									<u>m</u>	<u>m</u>	•
RMH	•	•									<u>m</u>	<u>m</u>	•
R-R	•	•	<u>m</u>	•	•	•					•	•	•
R-RO	•	•	<u>m</u>	•	•	•					<u>m</u>	<u>m</u>	•
R-C	•	•		•	<u>m</u>	<u>m</u>		•			<u>m</u>	<u>m</u>	•
C-30	•	•		•			<u>m</u>						
C-31	•	•		•			<u>m</u>						
C-32	•	•		•			<u>m</u>	•			A	A	•
C-34	•	•		•	<u>m</u>	M	<u>m</u>	•			A	A	•
C-35	•	•		•	<u>m</u>	M	<u>m</u>	•			A	A	•
C-36	•	•		•	<u>m</u>	M	•	•			A	A	•
C-37	•	•	•	•	•	•	•	•	•	•	A	A	•
C-38	•	•	•	•	•	•	•	•	•	•	A	A	•
C-40	•	•	•	•	•	•	•	•	•	•	A	A	•
C-42	•	•		•	•	•	•				A	A	•
C-44	•	•	•	•	•	•	•				A	A	•
C-46	•	•		•							A	A	•
M-50	•	•		•	<u>m</u>	M	<u>m</u>	•	<u>m</u>	M	A	A	•
M-52	•	•		•	<u>m</u>	M	<u>m</u>	•	<u>m</u>	M	A	A	•
M-54	•	•		•	•	•	•	•	•	•	A	A	•
M-58	•	•		•	•	•	•	•	•	•	A	A	•
A-70	•	•	<u>m</u>	•	•	•		•	•	<u>m</u>	•	•	•
A-72	•	•	<u>m</u>	•	•	•		•	•	<u>m</u>	•	•	•
S-80	•	•		•	S	M					A	A	•
S-82	•	•		•	•	•					•	•	•
S-86	•	•		•	•	•	•						
S-88	•	•	•	•	•	•	•	•	•	•	•	•	•
S-90	•	•	<u>m</u>	•	•	•	•	•	•	•	•	•	•
S-92	•	•	<u>m</u>	•	•	•		•	•	<u>m</u>	•	•	•
S-94	•	•	<u>m</u>	•	•	•	•	•	•	•	•	•	•
Scenic Area	•	<u>m</u>	<u>m</u>	•	S	<u>m</u>	<u>m</u>	•	S	M	S	S	•

## LEGEND:

• Permitted

A Permitted by Administrative Permit

S Permitted by Site Plan

m Permitted by Minor Use Permit

M Permitted by Major Use Permit



# 6904 EXPLOSIVE STORAGE.

All explosive storage shall comply with the following provisions.

- a. Conformance to Federal and State Law. Explosive storage shall conform to all applicable provisions of federal and state law, including the tables of quantity and distance criteria, except where requirements of this section or conditions of the Major Use Permit are more stringent, in which case such requirements and conditions shall apply.
- b. Location. The area in which explosive storage is proposed shall be open in character and essentially free of development.
- c. Setbacks. Explosive storage shall not be located closer than 1,000 feet from any building or structure not on the same site as the explosive storage facility and which is used continuously or intermittently for human occupancy; except that storage in Class II magazines, as authorized in state law, shall not be located closer than 400 feet from any such building or structure.
- d. Buffering. Explosives storage shall be effectively screened by a natural land form or artificial barricade either surrounding the entire site or surrounding each magazine located thereon, which land form or barricade shall be of such height that:
  1. A straight line drawn from the top of any side wall of all magazines to any part of the nearest building or structure will pass through said land form or barricade; and
  2. A straight line drawn from the top of any side wall of all magazines to any point 12 feet above the centerline of a railroad or a street traversable by the public will pass through said land form or barricade.

Artificial barricades shall be a mound or revetted wall of earth with a minimum thickness of 3 feet.

- e. Compliance Review. A Major Use Permit for storage of explosives shall be conditioned to require the submittal of a compliance report to the Department of Planning and Land Use once every 5 years (from the date of approval of the Use Permit) demonstrating, to the satisfaction of the Director, that the use meets the requirements of this section and all applicable conditions of the Major Use Permit. As a result of such review, the Director may determine that the use is in compliance with the Major Use Permit or may determine that the Major Use Permit shall be subject to review by the Approving Authority. As the result of such review, or at any time, if said Approving Authority finds that circumstances or conditions have changed so that the use no longer meets the requirements of this section or the conditions of the Major Use Permit, said permit may be modified, or revoked, whichever is more appropriate.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

**6905 FIRE PROTECTION AND LAW ENFORCEMENT SERVICES**

All fire protection services, and also law enforcement services in the A72 and S92 Use Regulations, shall require Site Plan review in accordance with the Site Plan Review Procedure commencing at Section 7150 and the following guidelines.

- a. **Site Plan Review Required.** Prior to the issuance of any building permit, grading plan or construction of any structure or conversion of any existing structure for use as a fire station, or in the A72 and S92 Use Regulations as a law enforcement station, a Site Plan of the proposed station shall be submitted to the Director for review and evaluation.
- b. **Content of the Site Plan.** Application for Site Plan review shall be submitted to the Director and shall be accompanied by such data and information as he may require including maps, plans, drawings, sketches and documented material as is necessary to show:
  1. Boundaries and existing topography of the property, and adjoining or nearby streets;
  2. Location and height of all existing buildings and structures, existing trees and the proposed disposition or use thereof;
  3. Location, height, building elevations, and proposed use of all proposed or existing structures, including walls, fences and freestanding signs, and location and extent of the building site;
  4. Location and dimensions of ingress and egress points, interior roads and driveways, parking areas, and pedestrian walkways;
  5. Location and treatment of important drainageways, including underground drainage systems;
  6. Proposed grading and removal of natural materials, including finished topography of the site;
  7. Proposed landscaping plan including location of exterior lighting fixtures and underground fuel storage facilities and aboveground pumps.
- c. **Site Plan Review Criteria.** The Site Plan shall be reviewed and evaluated by the Director for conformance with the following criteria.

- ii. That the impacts, as described in paragraph "i" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan.
  - iii. That the requirements of the California Environmental Quality Act have been complied with.
- 7. A Small Winery shall demonstrate compliance with the emergency travel times specified in Safety Element, Table S-1.
  - 8. Notice shall be provided pursuant to Section 7060.c. No hearing is required unless requested by the applicant or other affected person pursuant to Section 7060.d.

(Added by Ord. No. 9940 (N.S.) adopted 6-18-08)  
 (Amended by Ord. No. 10067 (N.S.) adopted 8-4-10)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 6911 EMERGENCY SHELTERS.

Emergency Shelters (See Section 1334) shall comply with the following provisions, in addition to all other applicable County codes and any requirements imposed by the State Department of Housing and Community Development:

- a. The maximum number of clients permitted to be served (eating, showering or sleeping) nightly shall not exceed 1 per 125 sq. ft. of floor area. There shall be one bed provided for each client.
- b. Off street parking shall be provided as follows: one parking space per employee on site at the same time and one additional space for every 6 client beds or portion thereof.
- c. The client waiting and/or intake areas shall be as follows:
  - 1. The interior waiting/intake area for a facility with 14 or fewer beds shall be no less than 125 sq. ft. and for a facility with 15 or more beds shall be no less than 200 sq. ft. in area.
  - 2. The exterior waiting/intake area shall be no less than 450 sq. ft. for facilities with 14 beds or fewer. The exterior waiting/intake area shall be no less than 900 sq. ft. for facilities with 15 beds or more. Exterior waiting/intake areas shall be screened from view from surrounding properties by solid fencing of not less than 6 feet in height. Fencing shall conform to the requirements of Section 6700 et. seq.
- d. An individual or individuals who do not utilize the homeless beds and/or services and who maintain their own residence off site may be eligible as on site manager(s). Each facility shall have manager(s) present onsite 24 hours per day, 7 days per week. At a minimum, one on site manager and one supporting staff member of the same sex shall be provided in each segregated sleeping area being used.

6911

- e. Segregated sleeping, lavatory and bathing areas shall be provided if the Emergency Shelter accommodates both men and women in the same building. Reasonable accommodation shall be made to provide segregated sleeping, lavatory and bathing areas for families.
- f. No Emergency Shelter shall be located within 300 feet of another Emergency Shelter.
- g. No client shall be allowed to stay more than 180 consecutive days or 300 overall days within any 12 month period of time.
- h. Lighting shall be provided in all parking areas, exterior intake and/or waiting areas and outside common areas. Outdoor lighting shall conform to all provisions of Section 6324 of this Zoning Ordinance and Section 51.201 and following of the San Diego County Code.
- i. Adequate security shall be provided on site during all hours of operation.
- j. For purposes of this section, "client" is defined as a person who utilizes the Emergency Shelter facilities to eat, shower or sleep but is not a staff member.

(Added by Ord. No. 10035 (N.S.) adopted 1-27-10)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

## 6912 COMMUNITY GARDENS

Community Gardens are allowed in all zones where Row and Field Crops are permitted, subject to the following regulations:

- a. Hours of Operation. Hours of operation shall be limited to the hours between sunrise and sunset.
- b. Permitted structures. Accessory structures, such as storage sheds for tools and other supplies, greenhouses and/or an Agricultural Stand, may be allowed in a community garden pursuant to Section 6156.
- c. Parking. A minimum of 2 parking spaces shall be provided on the lot when there is no on-street parking allowed adjacent to the community garden property.
- d. Water Use. Wasting water is prohibited pursuant to County Code Section 86.725. Water efficient irrigation techniques such as drip irrigation and timers to control watering times are encouraged. All hoses shall be equipped with a trigger nozzle. Mulching of planted areas is encouraged to retain plant moisture.

- e. Composting. Composting may be performed onsite within a composting container subject to all of the following:
  - 1. Composted materials shall be only those materials generated onsite or contributed by active members of the community garden.
  - 2. Composting containers shall be located a minimum of three feet from property lines.
  - 3. Odors and/or fly-breeding shall not be greater than customarily found at a well-maintained residence.
- f. Organic Gardening. Organic gardening is strongly encouraged.
- g. Trash/Recycling Receptacles. Trash and recycling receptacles shall be provided onsite for the proper disposal of refuse. The receptacles shall be screened from adjacent properties by six-foot high solid fencing. Refuse shall be removed from the site regularly so that the receptacle area and the lot are kept free from litter.
- h. Sale of Produce and Plants. Sale of produce or plants raised on the site is allowed only from a permitted Agricultural Stand, subject to all provisions of 6156.q. Otherwise, on-site sales of produce, plants or any other items are prohibited.
- i. Prohibited plants. Planting illegal or invasive plants, as defined in County Code Section 86.701 et seq., shall be prohibited.

All other applicable codes and ordinances shall apply to Community Gardens, including but not limited to Groundwater Ordinance, Grading Ordinance and Noise Ordinance. Applicable permits from other departments or agencies may be required.

(Added by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 6920 COTTAGE INDUSTRIES.

- a. Purpose and Intent. The purpose and intent of this Section is to provide a means for establishing certain limited commercial and industrial uses to provide products and services to rural areas which are not currently zoned commercial or industrial but would benefit from the application of such limited commercial and industrial uses. Furthermore, it is intended that these limited commercial and industrial uses be used in conjunction with a dwelling and that said uses, although more extensive than home occupations, do not significantly alter or disturb the residential or rural nature of the premises or the surrounding community.

b. Permit.

1. Cottage Industries are permitted, upon issuance of a Minor Use Permit, only in the A70, A72, S90 and S92 Use Regulations, and in the RR Use Regulations on parcels of four acres gross or larger.
2. A Minor Use Permit for a Cottage Industry shall be granted for seven years, unless the Director determines that a shorter period is more appropriate to insure conformance with the intent and standards of this section or other applicable requirements. Any person holding an unexpired Minor Use Permit for a cottage industry may apply for a modification pursuant to Section 7378 to extend its expiration date. The expiration date of any unexpired Minor Use Permit for a cottage industry which was granted prior to September 13, 1991 shall, however, be automatically extended by operation of Ordinance No. 7964 (N.S.) to September 13, 1998.
3. The Director, in acting on an unexpired Minor Use Permit for a cottage industry which was granted prior to September 13, 1991, shall not apply the 1,000 square foot maximum floor area standard specified in Section 6920d.4. below. The maximum floor area applicable to an unexpired Minor Use Permit for a cottage industry which was granted prior to September 13, 1991 shall be the square footage authorized and constructed prior to September 13, 1991.

c. General Standard. The particular uses conducted by the Cottage Industry, and their operation and appearance, shall not change or disturb the residential or rural character of the premises or its surroundings.

d. Specific Standards. Cottage Industries shall conform to the following requirements:

1. The Cottage Industry shall be a secondary use of a parcel containing a dwelling occupied as the principal residence of the owner or operator of the Cottage Industry.
2. The use shall be conducted entirely within a dwelling, garage, or accessory building which retains the appearance of buildings normally associated with dwellings.
3. Dwellings or garages modified in conjunction with this use shall, on sides adjacent to streets, retain the appearance of a single detached dwelling and garage. The required number of off-street parking spaces shall be maintained.
4. The maximum floor area devoted to the use shall not exceed 1,000 square feet.



5. Not more than 3 persons may be employed on the premises in addition to the members of a single family residing on the premises.
  6. No on-premise signs or advertising is permitted except as permitted for home occupations (one sign not exceeding 2 square feet in area displaying the name and occupation of the occupant).
  7. No Cottage Industry may be owned, operated, managed, or leased by any person within one mile of any other Cottage Industry owned, operated, managed, or leased by the same person.
  8. The Cottage Industry shall conform to the Performance Standards for the applicable use regulations. (See Section 6300)
  9. Production of goods shall be by hand manufacturing methods which involve the use of hand tools or mechanical equipment not exceeding the use of five horse power at any one time, or a single kiln not exceeding 8 cubic feet in volume. The applicant shall provide a description, including horsepower ratings, of all power tools intended to be utilized.
  10. Incidental direct sale to consumers of only those goods produced on site may be permitted subject to any limitations specified by the Minor Use Permit.
- e. Decision. If the officer or body having jurisdiction over a permit for a Cottage Industry determines that a particular use does not comply with all applicable regulations or that the permit cannot be conditioned by adequate requirements to ensure compliance with all applicable regulations, the permit shall be denied.

(Amended by Ord. No. 5652 (N.S.) adopted 11-21-79)

(Amended by Ord. No. 6195 (N.S.) adopted 12-2-81)

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

(Amended by Ord. No. 7964 (N.S.) adopted 8-14-91)

(Amended by Ord. No. 8698 (N.S.) adopted 7-17-96)

(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)



B. Exceptions

1. In addition to all other requirements in Sections 6980 through 6991, any proposed facility on a structure currently subject to a Major or Minor Use Permit shall obtain approval of the facility through the modification of the permit in accordance with Section 7378 of this Ordinance for a Use Permit or by Minor Deviation in accordance with Section 7609 of this Ordinance when the facility is invisible.
2. Major Use Permits for Wireless Telecommunications Facilities shall be under the original jurisdiction of the Planning Commission.

C. General Regulations

1. Non-camouflaged monopoles, lattice towers and guyed towers are prohibited in Residential and Rural zones.
2. All buildings and structures built to contain equipment accessory to a facility may not exceed 10 feet in height measured from the base of the foundation unless a greater height is necessary to maximize architectural integration and shall be screened by landscaping.
3. No more than three facilities are allowed on any site or parcel in commercial, industrial, rural or special purpose zones. No more than one facility is allowed on any parcel or site in a Residential zone. This requirement may be waived by the Director if a finding is made that co-location of more facilities is consistent with community character.
4. Telecommunications towers located adjacent to a residential use shall be set back from the nearest residential lot line by a distance at least equal to its total height or 50 feet, whichever is greater. The setback shall be measured from that part of the tower that is closest to the neighboring property (i.e., the setback for a faux tree would be measured from the end of the branch closest to the neighboring property).
5. No tower or equipment shall be located in a front, rear or side yard setback in any zone and no portion of any antenna array shall extend beyond the property lines.
6. Noise from any equipment supporting the facility shall meet the requirements of the County's Noise Ordinance on an average hourly basis.

7. The Director may grant an exemption from the requirement to process a Site Plan permit pursuant to Section 7156 of this Ordinance if he or she finds that all of the purposes and requirements of the Site Plan have been or will be fulfilled by another discretionary permit, or where the Director finds the proposed development or improvement is minor in nature and that the public purpose for which the Site Plan permit would normally be required will not be harmed by granting a Site Plan permit exemption. The Director's decision may be appealed pursuant to Section 7200 of this Ordinance.
8. All facilities located on a utility pole shall be promptly removed at the operator's expense at the time a utility is scheduled to be undergrounded.
9. Maintenance vehicles servicing facilities located in the public or private right of way shall not park on the traveled way or in a manner that would obstruct traffic.
10. Equipment cabinets and antenna structures shall be secured to disallow unauthorized access.
11. Use Permits for high visibility facilities shall have a maximum term of 6 years for facilities valued at less than \$10,000; 10 years for facilities valued from over \$10,000 to \$500,000; and 15 years for facilities valued at \$500,000 or more. This may be extended for an additional period of time by modifying the permit if it is found that no smaller or less visible technology is available or feasible to replace the facility.
12. As a condition of approval, prior to use of the facility, submit evidence, such as photos, to the satisfaction of the Director of Planning and Land Use to show proof that the facility is in conformance with photo simulations provided pursuant to Section 6984 (B) of this Ordinance.

(Added by Ord. No. 9549 (N.S.) adopted 4-30-03)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 6986 PREFERRED SITES

- A. The County has determined that certain zones and locations are preferable to others for siting wireless facilities due to aesthetics and land use compatibility.
  1. The preferred zones are as follows:

- c. Notice to Property Owners. The applicant shall provide notice materials (as specified by the Director) with the permit application which shall be used by the Department to notify property owners within 300 feet of the exterior boundaries of the subject lot, with a minimum of 20 different owners, of the receipt of said application. Additional notification is required by subsections e., g. and h. below.
- d. Public Hearing. A public hearing shall not be held unless the administering agency determines that such hearing would be in the best interest of the County, or, if required by applicable sections of the Zoning Ordinance, where a hearing is requested by the applicant or other affected person.
- e. Referral to Immigration and Naturalization Service. Applications filed pursuant to Section 4830 requesting to reduce the 150 foot setback along the International Border shall be referred to the local office of the Immigration and Naturalization Service. In the event the INS expresses an intent to acquire all or part of the subject property the administering agency shall defer final action on the application for six months or until such time as the INS completes acquisition or abandons acquisition proceedings, whichever time period is less.
- f. Defense of Lawsuits. As a condition of approval of an Administrative Permit, for which an application was filed (as defined in Zoning Ordinance Section 1019b. before January 3, 2003), the applicant shall: (1) defend, indemnify and hold harmless the County, its agents, officers and employees from any claim, action or proceeding against the County, its agents, officers or employees to attack, set aside, void or annul the Administrative Permit or any of the proceedings, acts or determinations taken, done or made prior to such decision granting such permit; and (2) reimburse the County, its agents, officers or employees for any court costs and attorney's fees which the County, its agents, officers or employees may be required by a court to pay as a result of such approval. At its sole discretion, the County may participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of any obligation imposed by this condition. Each applicant seeking approval of any Administrative Permit, for which an application was filed (as defined in Zoning Ordinance Section 1019 b.) on or after January 4, 2003, shall be subject to the defense and indemnification provisions found at Chapter 2 (commencing at section 86.201) of Division 6 of Title 8 of the San Diego County Code.
- g. Notwithstanding the above, Administrative Permits for Adult Entertainment Establishments shall be governed by the requirements specified in Section 6930.
- h. Notwithstanding the above, Administrative Permits for Gate Entry Structures and Gate Houses on Private Easements shall be governed by the requirements specified in Section 6708.h.2.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
 (Amended by Ord. No. 6586 (N.S.) adopted 5-18-83)  
 (Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)  
 (Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)  
 (Amended by Ord. No. 7110 (N.S.) adopted 4-02-86)  
 (Amended by Ord. No. 7246 (N.S.) adopted 12-10-86)  
 (Amended by Ord. No. 7306 (N.S.) adopted 5-20-87)  
 (Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)  
 (Amended by Ord. No. 7782 (N.S.) adopted 7-25-90)  
 (Amended by Ord. No. 8015 (N.S.) adopted 12-04-91)  
 (Amended by Ord. No. 9469 (N.S.) adopted 7-12-02)  
 (Amended by Ord. No. 9517 (N.S.) adopted 12-04-02)  
 (Amended by Ord. No. 9569 (N.S.) adopted 7-09-03)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 7062 CONDITIONS.

Administrative permits may be granted or modified subject to the performance of such conditions, including the provision of required improvements, and for such period of time as the administering agency shall deem to be reasonable and necessary or advisable under the circumstances so that the objective of The Zoning Ordinance shall be achieved. Such conditions shall be imposed and enforced as follows:

- a. Security May be Required to Insure Performance. In order to insure the performance of conditions imposed concurrently with the granting or modification of an administrative permit, the applicant may be required to furnish security in the form of money or surety bond in the amount fixed by the administering agency. Such security shall be furnished as required by Section 7612.
- b. Provision of Required Improvements. Whenever an Administrative Permit is granted or modified subject to the condition that specified improvements be provided by the applicant, such improvements shall be installed by the applicant and approved and accepted by the cognizant County authority, or the applicant shall execute an agreement with the cognizant County authority pursuant to Section 7613 to make such improvements, prior to the time or events specified in the permit.
- c. Condition Declared Void. Whenever there becomes final any judgment of a court of competent jurisdiction declaring one or more of the conditions of an administrative permit to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one or more of such conditions, said administrative permit shall cease to be valid and all rights or privileges granted thereby shall lapse, as provided in Section 7076.

## SITE PLAN REVIEW PROCEDURE

### 7150 TITLE AND PURPOSE.

The provisions of Section 7150 through Section 7199 shall be known as the Site Plan Review Procedure. The purpose of these provisions is to provide a review procedure for development proposals which is concerned with physical design, siting, interior vehicular and pedestrian access, and the interrelationship of these elements. Approval of a Site Plan does not authorize any use not otherwise permitted by this Ordinance.

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

### 7152 APPLICABILITY.

The Site Plan Review Procedure shall be followed when an application for a Site Plan has been filed as required by The Zoning Ordinance.

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

### 7154 JURISDICTION.

The Director shall be responsible for administering the Site Plan Review Procedure and for reviewing and evaluating of all Site Plans submitted pursuant to this procedure.

### 7155 APPLICATION

An application for a Site Plan or modification thereof shall be signed by all property owner(s) or agent(s) as provided in Section 7017, and shall be made to the administering agency on such forms and containing such information as is prescribed by him or her, and shall be accompanied by the fee, if any, fixed pursuant to Section 7602.

(Added by Ord. No. 10006 (N.S.) adopted 9-16-09)

### 7156 SITE PLAN PERMIT EXEMPTION.

- a. The Director may grant an exemption from the requirement to process a Site Plan permit if he or she finds that all of the purposes and requirements of the Site Plan permit have been or will be fulfilled by another discretionary permit; or
- b. Where the Director finds the proposed development or improvement is minor in nature and the public purpose for which the Site Plan permit would normally be required will not be harmed by granting an exemption from said requirement. For purposes of this subsection, "minor in nature" may mean the proposed improvement is not visible from any street; there is no active code enforcement action on the property; no additional parking spaces will be required by the proposed improvements; an addition not exceeding 500 square feet in area; the replacement of an existing permitted sign(s) (like for like, and no increase in sign area); replacement of windows/doors; re-stucco, re-roof or minor improvements to the façade of an existing permitted building(s); or other similar improvements. This shall be determined on a case-by-case basis.

The Director may forward a request for a Site Plan permit exemption to the applicable Community Planning or Sponsor Group for a recommendation prior to granting a Site Plan permit exemption request.

7156

This subsection "b" shall not apply to land falling within the coastal zone, as defined by the California Coastal Act of 1976.

- c. An exemption from the requirement to process a Site Plan permit does not constitute a waiver or exemption from any other requirement of this Zoning Ordinance or any other law, ordinance or other regulation applicable to the project.

No building permit shall be issued for a project for which the Site Plan permit exemption has been granted except pursuant to plans bearing the Director's stamp granting such exemption. No deviation from aspects of such plans pertinent to the purposes for which a Site Plan review would otherwise have been required shall be permitted without prior approval of the Director.

This Section shall not apply to those Site Plans required by a special area regulations designator where there are specific exemption criteria established under the special area regulations designator sections.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)  
(Amended by Ord. No. 6655 (N.S.) adopted 9-28-83)  
(Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)  
(Amended by Ord. No. 8105 (N.S.) adopted 7-15-92)  
(Amended by Ord. No. 8236 (N.S.) adopted 5-5-93)  
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)  
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)  
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 7157 TRANSMITTAL TO OTHER AGENCIES.

Whenever an agency or board is required by this Ordinance to review a Site Plan submitted to the Director, the Director shall forward a copy of the application and accompanying plans, maps and diagrams to the appropriate agency or board within five working days after receiving a complete Site Plan application. In the case of Site Plans pursuant to the Community Design Review Area Regulations, each member of the applicable Community Design Review Board shall receive a copy of the project plans. The agency or board shall review the application and make its recommendations thereon to the Director. The Director shall not make a decision with respect to the Site Plan until he has considered the report and recommendation of the agency or board. Citizen Advisory Boards shall review and make recommendations within 21 days of receipt of said application unless no meeting is held within that time frame. If no recommendation is received within 45 days after transmitting the application to the agency or board, the Director may make a decision without the agency or board's recommendation. The Director may make a decision after 35 days, if the Director has either received recommendations from all agencies, boards and planning or sponsor groups to whom notice has been sent, or has been informed by said agencies, boards and/or planning or sponsor groups, that they will not be making recommendations. The Director shall transmit a copy of his decision to the agency or board at the time the decision is made.

(Added by Ord. No. 5330 (N.S.) adopted 12-13-78)  
(Amended by Ord. No. 8236 (N.S.) adopted 5-5-93)  
(Amended by Ord. No. 9101 (N.S.) adopted 12-8-99)

#### 7158 REVIEW AND EVALUATION.

The Director shall review and evaluate Site Plans submitted to him in accordance with the following guidelines:



7168 EXPIRATION AND EXTENSION.

- a. Any approval of a Site Plan shall expire within two years of such approval except where construction or use of the property in reliance on such Site Plan approval has commenced prior to its expiration. Any Minor Deviation pursuant to Section 7609, or any modification pursuant to Section 7169, shall not extend the expiration and extension dates otherwise specified in this section.
- b. If prior to the expiration of such Site Plan the applicant files a written application with the Department of Planning and Land Use for an extension of time, the period within which construction or use of the property in reliance on the Site Plan must be commenced, may be extended by the Director at any time within 90 days of the date of expiration. The Director may grant one or more such extensions not to exceed a total of 24 months each, subject to specified conditions and upon a finding that unusual circumstances have delayed such completion, creating a substantial hardship on the applicant.
- c. Notwithstanding the above, if the Site Plan is issued to satisfy a condition of approval of a subdivision map pursuant to the County Subdivision Ordinance, the Site Plan shall remain in full force and effect for the duration of the tentative approval for that subdivision map, and, if the subdivision map does not receive final approval, expire upon expiration of the tentative approval. If the subdivision map receives final approval, the Site Plan shall expire one year after recordation of the Final or Parcel Map unless construction and/or use of the property in reliance of the Site Plan has commenced prior to its expiration; provided, however, that the period within which such construction and/or use must be commenced may be extended as provided by Section 7168.

(Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)

(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)

(Amended by Ord. No. 8236 (N.S.) adopted 5-5-93)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

7169 APPLICATION FOR MODIFICATION OF A SITE PLAN

- a. Any person holding an approved Site Plan may apply for a modification. The modification of a Site Plan may include modification of the physical improvements shown on the Site Plan itself or the waiver or alteration of conditions imposed pursuant to Section 7164. Sections 7000 through 7019 and 7157 through 7166, inclusive, shall apply to the application for the modification of a Site Plan.
- b. In the event the requested modification relates to a condition which was initially imposed by action of an appellate body, the authority having jurisdiction over such modification shall consider the following:
  1. The reason(s) why the subject condition was initially imposed.
  2. The reason(s) why the subject condition should be retained, modified or waived.
  3. The relationship of modification or waiver to the reason(s) the condition was initially imposed.

4. Any related impact, direct or indirect, which the requested modification or waiver would have on the subject property or surrounding properties.
5. Alternative measures proposed to mitigate deleterious impacts, if any, caused by the requested modification.

(Added by Ord. No. 8236 (N.S.) adopted 5-5-93)  
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

**7170 RELATION TO USE PERMIT, VARIANCE, AND ZONING ORDINANCE AMENDMENT.** When a development proposal subject to Site Plan review is submitted concurrently with an application for a subdivision, use permit, variance, or an amendment of the Zoning Ordinance, the Site Plan review shall be under the jurisdiction of the officer or body having jurisdiction over the subdivision, Use Permit, Variance, or amendment application and shall be conducted concurrently with any review required thereby.

(Amended by Ord. No. 7935 (N.S.) adopted 6-19-91)

**7172 REVOCATION OR MODIFICATION OF SITE PLAN APPROVAL FOR CAUSE.** A Site Plan may be revoked or modified for cause as provided by the provisions of this section. For purposes of this section, the modification of a Site Plan may include the modification of the terms of the Site Plan itself or the waiver, alteration, or imposition of new conditions pursuant to Section 7164.

- a. **Ground for Revocation or Modification.** A Site Plan may be revoked or modified pursuant to the provisions of this section upon a finding of any one or more of the following grounds:
  1. That such Site Plan was obtained or extended by fraud.
  2. That one or more of the conditions upon which such Site Plan was granted have been violated.
  3. That the use for which the Site Plan was granted is so conducted as to be detrimental to the public health or safety, or as to be a nuisance.
  4. That construction on the subject property is not in conformance with the Site Plan or other applicable requirements.
- b. **Notification.** The Director shall notify the owner of the property of his action in the same manner as specified in the Building Code for revocation of a building permit, or by written notice to the owner of the subject property as shown on the latest assessment roll or as indicated by later information available to the Director.
- c. **Appeal.** Revocation or modification of a Site Plan may be appealed pursuant to Section 7166.

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

## SUPPLEMENTARY ADMINISTRATIVE PROCEDURES

### 7600 TITLE AND PURPOSE.

The provisions of Section 7600 through 7649, inclusive, shall be known as the Supplementary Administrative Procedures. The purpose of these provisions is to provide additional procedures for the administration of amendments of the Zoning Ordinance, Variances, Use Permits, Site Plan Permits, Planned Development Permits, Administrative Permits and Administrative Appeals.

(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

### 7601 APPLICATION FORMS AND REQUIRED INFORMATION.

The Director shall prescribe the forms on which all applications shall be made pursuant to The Zoning Ordinance. The Director may prepare and provide blanks for such purpose and may prescribe the type of information to be submitted in the application by the applicant. No application shall be accepted unless it complies with such requirements.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

(Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)

### 7602 FEES.

Fees shall be paid to the County of San Diego as provided by the Zoning Ordinance for the purpose of defraying the expense of postage, investigation, posting, advertising and other costs incidental to the proceedings prescribed herein. The following provisions shall apply to the establishment, waiver and refund of fees.

- a. Establishment. Fees for consideration of material submitted pursuant to the requirements of the Zoning Ordinance shall be recommended by the Director and approved by the Board of Supervisors.
- b. Fee Schedule. The fees established pursuant to paragraph "a" of this section shall be contained in a Fee Schedule.
- c. Waiver. The application fee for the granting of a Variance, Zone Reclassification, Administrative Permit, Site Plan, or a Use Permit may be waived in any of the following circumstances:
  1. Upon written request of an applicant, when the Director, Planning Commission, or the Board of Supervisors finds the necessity for a Variance is the result of the dedication or granting (without receipt of substantial monetary consideration) of a portion of the property for a public purpose, said Director, Commission, or Board may waive the fee for filing the application for Variance, or
  2. If, after considering a statement supplied by the applicant, it is the opinion of the Board of Supervisors that the request is due to a hardship resulting from some error or negligence on the part of the County or its employees.

3. If the requested waiver of fee is found to conform to the Board of Supervisors Policy regarding refunds and relief from fees when permits are issued in error. The following criteria shall apply:
  - a. An applicant is owed a refund (or a credit) for any fees or deposits paid, fee waiver or other relief when the applicant can demonstrate that:
    - i. The permit issued or approval granted was rescinded due to staff error: or,
    - ii. An additional County permit or approval is required for the project due to staff oversight; and
    - iii. No misinformation was supplied nor information withheld by the applicant that resulted in the permit rescission or initial oversight.
  - b. Any approval or permit issuance done in error shall not create a liability for the County to pay for or to grant other approvals.
- d. Waived. The application fee is waived for:
  1. Group Care uses with an occupancy of not more than 14 persons and Family Day Care Homes for Children.
  2. Animal Raising Projects pursuant to Section 3115.
  3. Modification of a Major Use Permit for an existing mobilehome park pursuant to Section 6549 a. provided the Director determines that the necessary discretionary action for said modification can occur concurrently with the related tentative subdivision map.
  4. Major Use Permit for an existing mobilehome park not established pursuant to the Mobilehome Park Regulations pursuant to Section 6549 b. provided the Director determines that the necessary discretionary action for said Major Use Permit can occur concurrently with the related tentative subdivision map.
  5. As funding is available, a Minor Use Permit for a farm labor camp, or Administrative Permit for farm employee housing, for which a complete application was filed between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.) or was filed between April 5, 1991 and October 5, 1991, pursuant to Ordinance No. 7875 (N.S.) or was filed between October 31, 1991 and July 15, 1992, pursuant to Ordinance No. 8086 (N.S.), or was filed between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9643 (N.S), or was filed between July 1, 2009 and June 30, 2014 pursuant to Ordinance Number 10003 (N.S.).

#### 7607 PUBLIC HEARINGS - ADDITIONAL MATTERS IN NOTICE.

Where application is made for an amendment of The Zoning Ordinance which proposes changing the zone classification of any property or the boundaries of any zone, or for a Variance or Major Use Permit, the Director, or the Planning Commission shall have the discretion to include in the notice of hearing on such application, notice that the Planning Commission will consider classification other than that proposed and/or additional properties and/or uses and/or Variances. Where application is made for an ordinary Variance or a Minor Use Permit, the Director shall have the discretion to include in the notice of hearing on such application notice that the Director will consider additional uses and/or Variances.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

(Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)

#### 7608 INVESTIGATIONS.

The Planning Commission, or the Director shall cause an investigation to be made of facts bearing on an application for granting, extending, or modifying, or an action to revoke or modify a variance or use permit, or whenever necessary to investigate a proposed amendment of The Zoning Ordinance, an application for a planned development permit, or an Administrative Appeal. The investigation shall include an analysis of precedent cases as will serve to provide all necessary information to assure action on each case consistent with the purpose of The Zoning Ordinance and with prior actions.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

(Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)

#### 7609 MINOR DEVIATION FROM PLAN.

A Minor Deviation to an Administrative Permit, Variance, Site Plan Permit or Use Permit may be authorized in accordance with the following provisions:

- a. Intent. This section provides for situations where it is necessary to deviate from an approved permit decision and associated approved plans in a minor way which is in substantial conformance with the purpose and intent of the related Administrative Permit, Variance, Site Plan Permit or Use Permit and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. This section provides for flexibility in the implementation of an Administrative Permit, Variance, Site Plan Permit or Use Permit by permitting a Minor Deviation to be administratively granted by the Director. It is not the intent of this section to allow a deviation from the plan which would violate the intent and purpose of the related Administrative Permit, Variance, Site Plan Permit or Use Permit or any of its conditions, or to allow any action or use for which an Administrative Permit, Variance, Site Plan Permit or Use Permit would otherwise be required by The Zoning Ordinance and which is not specifically allowed by the approved decision.

- b. **Jurisdiction.** The Director may authorize a Minor Deviation from a plan referred to in an Administrative Permit, Variance, Site Plan Permit or Use Permit granted by the Board of Supervisors, the Planning Commission, or the Director.
- c. **Required Findings.** A Minor Deviation from an approved permit shall be authorized only after findings that:
  - 1. The requested deviation does not constitute a substantial change in the Administrative Permit, Variance, Site Plan Permit, or Use Permit, as allowed pursuant to the permit decision;
  - 2. The requested deviation will not adversely affect adjacent property or property owners; and
  - 3. A summary table and complete description of all proposed changes has been added to the project file, prepared and signed by the property owner(s), indicating the total cumulative percent change of area, size, height or other deviation from the original permit approval. Any subsequent deviation shall include a revised summary and calculation pursuant to this subsection.
- d. **Limitations.** A deviation from an approved permit, or deviations having a cumulative effect, may be allowed in accordance with the following limitations:
  - 1. A cumulative increase or decrease from the original approved plan of up to 10 percent of the following:
    - i. the gross area of any yard, open space, working area, parking area or other area regulated by the permit, provided that no decrease may be permitted in any required yard for which an exception pursuant to Section 4813 or a Variance is required;
    - ii. the size of any building or structure or of the total land area covered by any building or structure;
    - iii. the height of any building or structure or of any part thereof, or of the depth or area of an excavation, slope or working area;
    - iv. In the cases of Use Permits and Site Plan permits, the number of buildings or structures shown on the original approved plan provided the total land area covered by all buildings and structures does not increase or decrease more than 10 percent; or
    - v. A sign or sign program subject to a Community Design Review, Historic Landmark, Historic District or Design Review special area regulations designator may be approved upon due consideration of the recommendation of the applicable Design Review Board, Historic Site Board, Historic District Review Board, or Community or Subregional Planning Group. However, a change of copy, colors or print type, without a change to the overall size of the sign is not subject Design Review Board or Community or Subregional Planning Group review.

2. A change to the size and the type of windows, openings or doors, the colors or materials on the elevations or roof of a structure, or other similar changes may be allowed provided the approved architectural style is maintained. However, architectural or design elements specified in the permit conditions of approval will require a modification of the permit to authorize a change, pursuant to Section 7072, 7126, 7169 or 7378, as applicable.
- e. Application Form, Filing and Fee. An application requesting a minor deviation from a plan shall be made on the form prescribed by the Director, shall be signed by the property owner(s) or their agent(s) as required by Section 7017, shall be filed with the authority having jurisdiction as provided by paragraph "b" of this section, and shall be accompanied by the fee referenced in Section 7602.
- f. Hearing Not Required. Any action of the Director pursuant to this section may be taken without notice or public hearing.
- g. Decision is Final. Any decision by the Director pursuant to this section shall be final; provided, however, that the denial by the Director of a request for a minor deviation from a plan shall not prevent the applicant from applying for a new Administrative Permit, Variance, Site Plan Permit, or Use Permit or modification thereof pursuant to the Zoning Ordinance.

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)  
 (Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)  
 (Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)  
 (Amended by Ord. No. 8105 (N.S.) adopted 7-15-92)  
 (Amended by Ord. No. 8236 (N.S.) adopted 5-5-93)  
 (Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)  
 (Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)  
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 7610 ENVIRONMENTAL IMPACT REVIEW - REQUIRED INFORMATION.

Notwithstanding any other provision of the Zoning Ordinance, all applications for the granting of a variance, use permit, zoning ordinance amendment request, and planned development permit shall include at least one of the following:

- a. Negative Declaration. A negative declaration on proposals which are not environmentally significant;
- b. Draft EIR. A draft EIR on proposals which could have significant environmental effects;
- c. Categorical Exemption. A certification by the Director of categorical exemption; or
- d. Other Certification. A certification by the Director that the proposal is otherwise not subject to the environmental review requirements of the California Environmental Quality Act.

(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

7611

**7611 ENVIRONMENTAL IMPACT REVIEW - CONSIDERATION.**

The Board of Supervisors, Planning Commission, or Director, whoever has jurisdiction to grant, conditionally grant, or deny an application for which an environmental impact report has been prepared, shall consider such report as independent evidence in making the decision whether to grant, conditionally grant or deny the application. In addition to any other discretion granted by law, such Board, Commission or County officer shall have the authority to consider the adequacy of the environmental impact report and shall have the authority to require the preparation of a supplementary report in any case in which a supplementary report is deemed by it to be necessary as a basis for a decision on the application.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

(Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)

**7612 BOND TO INSURE PERFORMANCE OF CONDITIONS.**

Every bond to insure performance of conditions shall be a penalty bond and shall be in a form satisfactory to the Director, Planning Commission or Board of Supervisors, whoever requires same, shall be payable to the County of San Diego and shall be conditioned upon compliance with the conditions and limitations including any limitation of time, upon which such variance or use permit is granted. Upon the breach of any condition or limitation, including a limitation of time, upon which the variance or use permit is granted, the money or the bond furnished as security shall be forfeited to the County of San Diego and such money or the money collected on any such bond shall be paid into the general fund of the County of San Diego.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

(Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)

**7613 INSURING PROVISION OF IMPROVEMENTS.**

- a. Deposit. Every agreement to provide required improvements shall be accompanied by an amount of money to be deposited with the Director of Transportation to guarantee the adequate completion of said improvements. The amount shall equal the estimated cost of construction of the required improvements at the end of the time specified in the agreement.
- b. Bond or Instrument of Credit. If the estimated cost of the improvements is \$1,000 or more, in lieu of such deposit the permittee may file with the Director of Transportation an appropriate surety bond, guaranteeing the completion of all the improvements, in a penal sum equal to such estimated cost. In lieu of the bond, the Director of Transportation may at his discretion accept an instrument of credit such as is authorized by the Subdivision Map Act or other security in a form approved by County Counsel.



## ENFORCEMENT PROCEDURES

### 7700 TITLE AND PURPOSE.

The provisions of Section 7700 through Section 7749, inclusive, shall be known as the Enforcement Procedures. The purpose of these provisions is to ensure compliance with The Zoning Ordinance. These provisions shall apply to the enforcement of The Zoning Ordinance, but shall not be deemed to exclude other measures.

### 7701 AUTHORITY TO ENFORCE.

The Director shall have the authority to enforce all of the provisions of this Ordinance. All officials, departments, and employees of San Diego County vested with the authority to issue permits, certificates, or licenses shall adhere to, and require conformance with The Zoning Ordinance.

(Amended by Ord. No. 8555 (N.S.) adopted 7-14-95)

(Amended by Ord. No. 8962 (N.S.) adopted 9-23-98)

### 7702 INSPECTION TO INSURE COMPLIANCE.

Whenever they shall have cause to suspect a violation of any provision of The Zoning Ordinance; or whenever necessary to investigate either an application for granting, extension or modification of any application described in this Ordinance or in the Subdivision Ordinance, or an action to revoke or modify a variance or a use permit, or whenever necessary to investigate a proposed amendment of The Zoning Ordinance, the officials responsible for enforcement or administration of The Zoning Ordinance or their duly authorized representatives, may enter any site for the purpose of investigation, provided they shall do so in a reasonable manner. No owner or occupant or agent thereof shall, after reasonable notice and opportunity to comply, refuse to permit such entry. In the course of such inspection, no enclosed building or structure shall be entered without the express permission of the owner or occupant.

(Amended by Ord. No. 7152 (N.S.) adopted 6-11-86)

### 7703 VIOLATIONS AND PENALTIES.

It shall be unlawful for any person to use any property or erect, construct, enlarge, alter, repair, move, remove, improve, convert or demolish, equip, use, occupy or maintain any building or structure, or cause the same to be done, contrary to or in violation of any of the provisions of this Ordinance. Any person violating any of the provisions of this Ordinance, including the violation of any condition of a use permit, site plan, administrative permit, variance, or other discretionary permit shall be deemed guilty of a misdemeanor unless, in the discretion of the prosecutor, it is charged as an infraction.

- a. Each day or portion of a day that any person violates or continues to violate this ordinance constitutes a separate offense and may be charged and punished separately without awaiting conviction on any prior offense.

- b. Any person convicted of a misdemeanor under this ordinance shall be punished by imprisonment in the County jail not exceeding six months, or by a fine not exceeding \$1,000, or by both.
- c. Any person convicted of an infraction under this ordinance shall be punished by a fine not exceeding \$100 for the first violation; by a fine not exceeding \$200 for a second violation of this ordinance within one year; and by a fine not exceeding \$500 for each additional violation of the same provision of this ordinance committed by that person on the same site within one year.
- d. Paying a fine or serving a jail sentence shall not relieve any person from responsibility for correcting any condition which violates any provision of this ordinance.
- e. Violation is A Public Nuisance. Any building or structure erected, constructed, altered or maintained and/or any use of property contrary to the provisions of these regulations shall be and the same is hereby declared to be unlawful and a public nuisance, and any failure, refusal or neglect to obtain a permit as required by the terms of this ordinance shall be prima facie evidence of the fact that a nuisance has been committed in connection with the erection, construction, alteration or maintenance of any building or structured erected, constructed, altered or maintained or used contrary to the provisions of this ordinance. The public nuisance may be abated in accordance with the Uniform Public Nuisance Abatement Procedures contained in Chapter 2, Division 6, Title 1 (commencing with Section 16.201) of the San Diego County Code or County Counsel shall, upon order of the Board of Supervisors immediately commence necessary proceedings for the abatement, removal and/or enjoinder thereof in the manner provided by law.
- f. Citation Authority. Pursuant to the provisions of California Penal Code Sections 19d and 836.5, the Director of the Department of Planning and Land Use or specific individuals deputized by the Director may arrest a person without a warrant whenever the Director or the authorized deputy has a reasonable cause to believe that the person arrested has committed an infraction or misdemeanor in his presence which is a violation of The Zoning Ordinance, which he or she has the duty to enforce. An officer or employee making an arrest under the authority of this section shall follow the citation-release procedures prescribed by the California Penal Code, or such procedures hereinafter enacted by the State of California. No agent or deputy shall exercise the power to issue citations authorized above unless such agent or deputy shall first have completed a course of training that meets the minimum standards prescribed by the Commission on Peace Officers Standards and Training as established by Section 832(a) of the Penal Code.
- g. Civil Penalties For Violation of The Zoning Ordinance. As part of a civil action filed by the County to enforce provisions of this Ordinance, a court may assess a maximum civil penalty of \$2500 per violation of The Zoning Ordinance for each day during which any violation of any provision of this Ordinance is committed, continued, permitted or maintained by such person(s). As part of said civil action, a court may also assess a maximum civil penalty of \$6000 for each day any person intentionally violates an injunction prohibiting the violation of any provision of this Ordinance.

- h. **Administrative Remedies.** In addition to all other legal remedies, criminal or civil, which are available to the County to address any violation of The Zoning Ordinance, the County may use the Administrative Remedies found at Division 8 of Title 1 of the County Code.
- i. **Cease and Desist Order.** Whenever the Director finds any use regulated by this Ordinance being performed in a manner either contrary to the provisions of this Ordinance or not allowed by this Ordinance, the Director may issue a cease and desist order. The cease and desist order shall be in writing and shall be given to the owner of the property involved, the owner's agent or to the person performing the use. The cease and desist order shall state the reason for the order, the conditions under which the specified use will be allowed to resume or whether the use is not allowed at all. Upon issuance of a cease and desist order, the specified use shall immediately cease. It shall be unlawful for any person to continue a use after having been served with a cease and desist order unless the Director authorizes it in writing.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
 (Amended by Ord. No. 6789 (N.S.) adopted 5-30-84)  
 (Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)  
 (Amended by Ord. No. 7152 (N.S.) adopted 6-11-86)  
 (Amended by Ord. No. 7200 (N.S.) adopted 9-16-86)  
 (Amended by Ord. No. 8015 (N.S.) adopted 12-4-91)  
 (Amended by Ord. No. 8555 (N.S.) adopted 7-14-95)  
 (Amended by Ord. No. 8962 (N.S.) adopted 9-23-98)  
 (Amended by Ord. No. 9063 (N.S.) adopted 10-24-00)  
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)  
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)  
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

#### 7704 REFUSAL TO ISSUE OR SUSPENSION OF BUILDING PERMIT.

The Director may suspend or refuse to issue any building permit, including plumbing, electrical, mechanical and structural permits, if the Director determines that there is a violation of this or any other ordinance or regulation involving the property upon which the permit was applied for or was issued or involving signs advertising the subdivision or development within which the property is located.

Written notice of such suspension or refusal to issue shall be mailed to the applicant for the building permit and to the property owner, if different from the applicant. Such written notice shall include information regarding the specific violation(s) and the action(s) necessary to abate such violation(s).

The suspension or refusal to issue shall be rescinded upon submission of evidence satisfactory to the Director that such violations have been abated.

(Added by Ord. No. 7152 (N.S.) adopted 6-11-86)  
 (Amended by Ord. No. 8555 (N.S.) adopted 7-14-95)  
 (Amended by Ord. No. 8962 (N.S.) adopted 9-23-98)

#### 7705 SPECIFIC PLAN.

Violation of the requirements of a Specific Plan adopted by the Board of Supervisors constitutes a violation of The Zoning Ordinance.



- f) Proposed grading and removal of natural materials, including finished topography of the site;
  - g) Proposed landscaping plan including the location of exterior lighting fixtures and underground fuel storage facilities and aboveground pumps, if proposed.
3. Site Plan Review Criteria. The Site Plan shall be reviewed and evaluated by the Director for conformance with the following criteria.
- a) Residential uses shall be located and designed so they are buffered from potentially adverse impacts created by adjacent, commercial and industrial uses.
  - b) Impacts to be addressed shall include noise, odors, lighting, air quality, visual quality and vibration.
  - c) Building and structures shall use construction methods such as windows and building materials that will reduce noise generated by the business and will reduce noise that may impact the residential use.
  - d) Landscape buffers shall be utilized where appropriate to screen views from the residential use to visually undesirable portions of adjacent businesses. Landscaping shall be capable of reaching a height that will provide screening of views within one year of installation. To reduce fire hazards, plant material used shall not be on the North County Fire Protection District's Undesirable Plant List.
  - e) Lighting of the business use shall not excessively spill over into the residential use.
4. Site Plan Permit Exemption. An exemption from the Site Plan permit requirement of Section 8203.a.1 may be granted by the Director under either of the following circumstances:
- a) If it is determined that the nature of a proposed project is such that subjecting it to the Site Plan review process would not materially contribute to the attainment of the intent of the criteria listed in Section 8203.a.3 or that all of the purposes and requirements of the Site Plan have been fulfilled by an existing approved discretionary permit. In making a decision on such a Site Plan permit exemption due consideration shall be given to the recommendation of the appropriate Design Review Board. Such recommendation shall be

in writing, signed by the Chairperson or other member of the Review Board who has been authorized by the Review Board to sign Site Plan permit exemption recommendations, and shall be accompanied by a copy of the project plans upon which the recommendation was based. Site Plan permit exemption requests shall be transmitted by the applicant to the Review Board using a form approved by the Director for that purpose. If no recommendation is received by the Director from the Review Board within 45 days following the Review Board's receipt of the request, the Director may make a decision without the Review Board's recommendation.

- b) If all of the purposes and requirements of the Site Plan will be fulfilled by a concurrent discretionary permit which will be reviewed by the appropriate Design Review Board.

No building permit shall be issued for a project for which the Site Plan permit exemption has been granted except pursuant to plans bearing the Director's stamp granting such exemption. No deviation from aspects of such plans pertinent to the criteria listed in Section 8203.a.3, such as materials, landscaping, site design and lighting, shall be permitted without prior recommendation of the appropriate Design Review Board and approval of the Director.

Group Residential – Allowed in conjunction with a school where housing facilities are used by registered students of the school. The associated school facility does not have to be located on the same lot.

b. Civic Use Types.

Child Care Center – 24 children or less

c. Commercial Use Types.

Business Equipment Sales and Services – The area devoted to storage shall not be greater than the area devoted to sales and administrative offices

Convenience Sales and Personal Services – Not to exceed 1,500 square feet

Eating and Drinking Establishments – No drive-through

Food and Beverage Retail Sales – Not to exceed 2,000 square feet

Laundry Services – Limited to drycleaning plants and laundries that provide retail services only, use only non-flammable solvents and employ not more than 10 people.

Participant Sports and Recreation: Indoor – Not to exceed 2,000 square feet

Transient Habitation: Lodging – Not to exceed 20 bedrooms. Uses exceeding 20 bedrooms allowed pursuant to Section 8204.

d. Industrial Use Types.

Custom Manufacturing – The square footage, horsepower and kiln size restrictions imposed by Section 1610 do not apply. Kiln sizes shall be limited to 20 cubic feet and equipment to 25 horsepower at any one time.

(Added by Ord. No. 9620 (N.S.) adopted 12-10-03)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

8204 USES SUBJECT TO A MINOR USE PERMIT

The following use types are permitted by the V2 Zone upon issuance of a Minor Use Permit:

a. Commercial Use Types.

Transient Habitation: Lodging (uses exceeding 20 bedrooms)

(Added by Ord. No. 9620 (N.S.) adopted 12-10-03)

8205 USES SUBJECT TO A MAJOR USE PERMIT

The following use types are permitted by the V2 Zone upon issuance of a Major Use Permit:

a. Civic Use Types.

Major Impact Services and Utilities

b. Commercial Use Types.

Research Services

(Added by Ord. No. 9620 (N.S.) adopted 12-10-03)

8220 SITE DEVELOPMENT REGULATIONS

Properties within the V2 Zone shall be subject to the following site development regulations:

a. Animals

The only animals allowed are six or fewer dogs and cats or similar animals (in any combination).

b. Density

The Density Regulations beginning at Section 4100 shall apply to the Village 2 Zone.

A maximum of 24 dwelling units per acre as a co-primary or secondary use only.

c. Lot Area

No minimum or maximum lot area.

d. Building Type

Other than Section 4305, Building Type Designator Notation, and Section 4310, Building Type Schedule, the Building Type Regulations beginning at Section 4300 shall apply to the V2 Zone.

Mixed residential and/or non-residential units with one or more main buildings per lot are permitted. Attached buildings are also permitted.

e. Maximum Floor Area

No maximum floor area.

f. Floor Area Ratio

The Floor-Area Ratio Regulations beginning at Section 4500 shall apply to the V2 Zone.

1.5 (the floor area of all buildings on-site may not exceed 1.5 times the net square footage of the lot).

g. Height

Other than Section 4605, Height Designator Notation, and Section 4610, Height Schedule, the Height Regulations beginning at Section 4600 shall apply to the V2 Zone.

Buildings shall have a maximum height of 35 feet.

h. Lot Coverage

No lot coverage requirement.

i. Main Building Setbacks

In order to complement and encourage preservation of the existing village character and encourage pedestrian activity, development in the V2 Zone should maintain a continuous building façade and buildings should maintain a zero front yard and exterior side yard setback. Building setbacks shall be reviewed as part of the Site Plan required by the Special Area Regulation. Where the scale and height of any proposed building or the need to provide adequate sight distance warrants a larger setback, in relation to the street width and surrounding buildings, a larger setback may be required.



2. Content of the Site Plan. Application for Site Plan review shall be submitted to the Director and shall be accompanied by such data and information as he may require including maps, plans, drawings, sketches and documented material as is necessary to show:
  - a) Boundaries and existing topography of the property, and adjoining or nearby streets;
  - b) Location and height of all existing buildings and structures, existing trees and the proposed disposition or use thereof;
  - c) Location, height, building elevations, and proposed use of all proposed or existing structures, including lighting, walls, fences and freestanding signs, and location and extent of the building site;
  - d) Location and dimensions of ingress and egress points, interior roads and driveways, parking areas, and pedestrian walkways;
  - e) Location and treatment of important drainage ways, including underground drainage systems;
  - f) Proposed grading and removal of natural materials, including finished topography of the site;
  - g) Proposed landscaping plan including the location of exterior lighting fixtures and underground fuel storage facilities and aboveground pumps, if proposed.
3. Site Plan Review Criteria. The Site Plan shall be reviewed and evaluated by the Director for conformance with the following criteria.
  - a) Residential uses shall be located and designed so they are buffered from potentially adverse impacts created by adjacent, commercial and industrial uses.
  - b) Impacts to be addressed shall include noise, odors, air quality, lighting, visual quality and vibration.
  - c) Building and structures shall use construction methods such as windows and building materials that will reduce noise generated by the business and will reduce noise that may impact the residential use.

- d) Landscape buffers shall be utilized where appropriate to screen views from the residential use to visually undesirable portions of adjacent businesses. Landscaping shall be capable of reaching a height that will provide screening of views within one year of installation. To reduce fire hazards, plant material used shall not be on the North County Fire Protection District's Undesirable Plant List.
  - e) Lighting of the business use shall not excessively spill over into the residential use.
4. Site Plan Permit Exemption. An exemption from the Site Plan permit process requirement of Section 8303.a.1 may be granted by the Director under either of the following circumstances:
- a) If it is determined that the nature of a proposed project is such that subjecting it to the Site Plan review process would not materially contribute to the attainment of the intent of the criteria listed in Section 8303.a.3 or that all of the purposes and requirements of the Site Plan have been fulfilled by an existing approved discretionary permit. In making a decision on such a Site Plan permit exemption due consideration shall be given to the recommendation of the appropriate Design Review Board. Such recommendation shall be in writing, signed by the Chairperson or other member of the Review Board who has been authorized by the Review Board to sign Site Plan permit exemption recommendations, and shall be accompanied by a copy of the project plans upon which the recommendation was based. Site Plan permit exemption requests shall be transmitted by the applicant to the Review Board using a form approved by the Director for that purpose. If no recommendation is received by the Director from the Review Board within 45 days following the Review Board's receipt of the request, the Director may make a decision without the Review Board's recommendation.
  - b) If all of the purposes and requirements of the Site Plan will be fulfilled by a concurrent discretionary permit which will be reviewed by the appropriate Design Review Board.

No building permit shall be issued for a project for which the Site Plan permit exemption has been granted except pursuant to plans bearing the Director's stamp granting such exemption. No deviation from aspects of such plans pertinent to the criteria listed in Section 8303.a.3, such as materials, landscaping, site design and lighting, shall be permitted without prior recommendation of the appropriate Design Review Board and approval of the Director.

Group Residential – Allowed in conjunction with a school where housing facilities are used by registered students of the school. The associated school facility does not have to be located on the same lot.

b. Civic Use Types.

Child Care Center – 24 children or less

c. Commercial Use Types.

Animal Sales and Services: Veterinary (Large Animals) – except that large animals are not allowed to be kept overnight unless required in preparation for or recovery from surgery

Automotive and Equipment: Cleaning – Not to exceed 4 self-serve stalls

Convenience Sales and Personal Services – Not to exceed 1,500 square feet

Eating and Drinking Establishments – No drive-through

Food and Beverage Retail Sales – Not to exceed 2,000 square feet

Laundry Services – Limited to drycleaning plants and laundries which provide retail services only, use only non-flammable solvents, and employ not more than 10 people.

Participant Sports and Recreation: Indoor – Not to exceed 2,000 square feet

Transient Habitation: Lodging – Not to exceed 20 bedrooms. Uses exceeding 20 bedrooms allowed pursuant to Section 8304.

Wholesaling, Storage and Distribution: Mini-Warehouses – The Mini-Warehouse Use may not occupy more than 50% of the building area. For the purposes of calculation, common areas including interior courtyards, restrooms and hallways would not be included. All storage units shall be accessed by an interior corridor and shall not be accessed externally. The Mini-Warehouse Use shall be located within a single building on the parcel.

d. Industrial Use Types.

Custom Manufacturing – The square footage, horsepower and kiln size restrictions imposed by Section 1610 do not apply. Kiln sizes shall be limited to 60 cubic feet and equipment to 40 horsepower at any one time.

(Added by Ord. No. 9620 (N.S.) adopted 12-10-03)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

8304

8304            USES SUBJECT TO A MINOR USE PERMIT

a.        Commercial Use Types.

          Transient Habitation: Lodging (uses exceeding 20 bedrooms)

(Added by Ord. No. 9620 (N.S.) adopted 12-10-03)

8305            USES SUBJECT TO A MAJOR USE PERMIT

The following use types are permitted by the V3 Zone upon issuance of a Major Use Permit:

a.        Civic Use Types.

          Major Impact Services and Utilities

(Added by Ord. No. 9620 (N.S.) adopted 12-10-03)

8320            SITE DEVELOPMENT REGULATIONS

Properties within the V3 Zone shall be subject to the following site development regulations:

a.        Animals

          The only animals allowed are six or fewer dogs and cats or similar animals (in any combination).

b.        Density

          The Density Regulations beginning at Section 4100 shall apply to the V3 Zone.

          A maximum of 24 dwelling units per acre.

c.        Lot Area

          No minimum or maximum lot area.

d.        Building Type

          Other than Section 4305, Building Type Designator Notation, and Section 4310, Building Type Schedule, the Building Type Regulations beginning at Section 4300 shall apply to the V3 Zone.

          Mixed residential and/or non-residential units with one or more main buildings per lot are permitted. Attached buildings are also permitted.